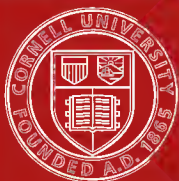


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*SOME RECOLLECTIONS OF THE  
LATE EDOUARD LABOULAYE  
BY JOHN BIGELOW*



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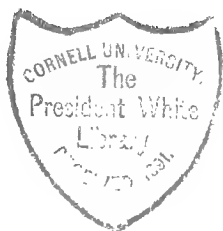






*SOME RECOLLECTIONS OF THE  
LATE EDOUARD LABOULAYE  
BY JOHN BIGELOW*

A portion of these "Recollections" was read before the New York Historical Society at the Celebration of its Eighty-Fourth Anniversary, November 20, 1888.



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## I.

First Interview with Laboulaye—His First Article on the American Civil War—Supplants Michel Chevalier—*Paris en Amerique.*

WHEN I arrived in Paris, in September, 1861, W. L. Dayton, our minister at the French court, H. S. Sanford, our minister to Belgium, and David Fuller, the colored messenger at the Paris consulate, were the only loyal representatives of our government, so far as I knew, at the Continental courts. The diplomatic agents of the United States under the administration of President Buchanan, were mostly pronounced Secessionists, and of those who were not, none, I believe, were in sympathy with the new administration. They had also been reinforced by a considerable number of active and plausible emissaries sent out months before Mr. Lincoln's inauguration, to prepare the public mind of Europe to believe that the insurgent States had consecrated themselves to a holy cause; that they represented the true spirit, statesmanship, and intelligence of the country, and that the most important industries of Europe were dependent  
upon

upon the establishment of their political independence. The general distrust in Europe of the growing power of the United States made her statesmen and press lend but too willing ears to these delusive tales, so that when the diplomatic agents commissioned by President Lincoln arrived in Europe in 1861, the public sympathy, so far as it received expression at court, in the press, in the clubs, and in general society, was very largely with the insurgents. Even such an unprejudiced judge of the American situation as the late Mr. Cobden had his mind so unsettled by the stories of the confederate agents that he did not hesitate to recommend us at that day to concede to the Confederates their independence rather than prolong the struggle with them, believing it to be the lesser of two great evils.

It was obviously the first and most difficult duty of those who were charged with the representation of the new administration, to correct as fast as possible, through the press and otherwise, the delusions into which European society had thus been beguiled in reference to the transatlantic convulsion. It was to this task I was instructed by Mr. Seward, at our last interview before I left the United States, to particularly address myself.

On the last Sunday and Monday of September, and very shortly after I reached Paris, I read, in the *Journal des Débats*, two elaborate papers, written in a spirit of cordial sympathy with the North, and, what surprised me more, with a singularly correct appreciation of the matters at issue between the two antagonized sections of our Union. They were signed "*E. Laboulaye, de l'Institut.*"

Knowing

Knowing already something of M. Laboulaye as a writer on jurisprudence, as a professor in the College of France, and lecturer on the constitutional history of the United States, I recognized at once the value of his alliance and lost no time in addressing him a note acknowledging my country's obligations to him for what he had written, and begging him to allow me an opportunity of waiting upon him to pay my respects in person. By return of post I received from him a very cordial note, in the course of which he said he would "be happy to serve in any way a cause which is the cause of liberty and justice," and added :

"It will be very agreeable to me to make your acquaintance, and to enter into such relations with you as I formerly enjoyed with the regretted Mr. R. Walsh. I am residing at present in the country, but shall return to Paris the 20th October. If it should please you to come to see me on Thursday, between one and five o'clock, you will always be sure to find me.

"In any event, on my arrival in town I shall have the honor to inform you by making the first visit, for I owe you thanks," etc.

Soon after his return we exchanged visits. When I called I was conducted into one of a suite of spacious rooms, crowded with books and numerous tables groaning under all the apparatus and teeming with the confusion of active and prolific authorship. The walls were decorated sparsely with curious and rare engravings. I found in Mr. Laboulaye, who presently entered, a gentleman of apparently middle age—he was then, in fact, in his fiftieth year—with a fine, compact figure, about five feet

feet seven inches high, of pleasing address, and altogether an attractive-looking man. He wore no beard, nor had he much occasion for the razor; he had the rich olive complexion which prevails among the Latin race; his voice was gentle and low, though clear and admirably modulated; his hair, thin and brown, was brushed smoothly to the head, which, with his black frock-coat buttoned close to the chin—I never saw him dressed otherwise except at dinner—gave him a slightly clerical appearance.

Before we separated I managed to come to a perfect understanding with him in regard to our American affairs, and from that time forth his pen and his influence were always at our service, and that too without any fee or promise of reward other than that which he might hope to realize from the triumph of institutions which for near twenty years he had been annually commending to the civilized world.

The article which thus brought me into personal relations with M. Laboulaye was, an elaborate review of Gasparin's "*L'Amérique devant l'Europe*." I felt the more grateful to him for the brave and imposing tone of this paper, because it marked a most important change in the course of the most influential journal then published in France. The *Débats* had been vacillating on the American question, with a tendency to accept Michel Chevalier, an ardent imperialist, as its guide, and to give prominence to aspects of our controversy calculated to stimulate the prejudices of European states against the government at Washington.

Partly to secure the circulation of M. Laboulaye's paper  
in

in some quarters, both within and outside of France where the *Débats* was not frequently seen, but more to encourage him to persist in supporting the cause he had shown an inclination to espouse, I asked his permission to reprint it in a pamphlet. "I am completely at your disposal," he promptly replied. "I shall be charmed to serve a cause which is the cause of all the friends of liberty." The articles in question were designed to give a popular expression and currency to the three propositions which M. Gasparin had sought to establish in his book.

*First*—That the desire of perpetuating and propagating slavery, and of making it the corner-stone of a new public policy, was the true cause of the revolt of the South.

*Second*—That, constitutionally, the South had no right to separate from the Union. It could not offer in defense of this extreme measure any right violated or menaced.

*Third*—That the commercial interests of France counsel neutrality on her part as the promptest and surest means at her disposal for ending a desolating and fratricidal war. The political interests of France required her to remain faithful to the grand traditions of Louis XVI. and of Napoleon. The unity and independence of the United States—that is say, of the only maritime power which can balance that of Great Britain—is for Europe the only guaranty of the freedom of the seas and of the world.

In a few days M. Laboulaye forwarded to me the revised copy of his articles, enriched by important additions

tions to the text and an instructive introduction, and for its epigraph the following prophetic language of the First Napoleon on signing the treaty of 1803, which doubled the territorial area of the United States :

“To emancipate the world from the commercial tyranny of England, it is necessary to give her for a counterpoise a maritime power that shall become her rival. Such are the United States. The English aspire to dispose of the wealth of the world. I can be useful to the universe if I can prevent their ruling America as they rule Asia. . . . In ceding Louisiana, I strengthen forever the power of the United States, and give to England a rival upon the sea, which sooner or later shall abase her pride.”

This pamphlet, when printed, was sent to the two hundred members of the Institute, to most of the Paris bar, to the diplomatic representatives residing at Paris, and most of the prominent statesmen and journals of Europe. The effect of it was far greater than I had ventured to anticipate. It was the most thorough, comprehensive, and dispassionate statement of the real issue between the North and the South, and of the bearings of our struggle upon continental Europe from a perfectly disinterested source that had reached the parties it was most important to undeceive. It led them to study the other side of the American question, and to frequent the resorts of loyal Americans. Friends of the Union multiplied, and those who had been discouraged and silent before, were now emboldened to come forward and confess their sympathy  
and



and their hopes. Even the *Débats* was so strengthened by the response its course received that it never faltered again in its defence of the Union cause, nor did M. Chevalier ever appear again in the columns of that journal as a writer on the domestic troubles of our people.

It was about this time that M. Laboulaye brought me an advance copy of his *Paris en Amérique*, which was to appear the following week. This book was a remarkable literary and financial success, and was happily the means of making extensively known to the American people, by whom it was immediately translated and widely read, one of their most efficient and timely benefactors.

Though it betrayed about as much ignorance as knowledge of social life in the United States—the author never crossed the Atlantic—it nevertheless abounded in so much just and sound criticism of many French ideas, habits, and institutions; it showed such a lively appreciation of much that was and more that ought to have been characteristic of American life, and withal was animated throughout with so much wit and amiable satire, that of all the publications emanating from European sources during our war, none had more effect than this, in weakening the prejudice against the “Yankee,” which prevailed among what it was the fashion to call “the better classes in Europe.”<sup>1</sup>

<sup>1</sup> Referring to this book, a copy of which I sent him, Mr. Seward, in an unofficial note, wrote :

“I have had leisure to look into Dr. Lefebvre’s dream, and am infinitely pleased with its humor as well as its spirit.”

## II.

Laboulaye Appointed Professor of History and Comparative Legislation in the College of France—Lectures on the Constitution of the United States—His Career as a Professor.

LET me here recall some of the circumstances which conspired to make M. Laboulaye such an earnest and effective champion of American Republicanism. Shortly after the Revolution of July, and on the 12th of March, 1831, three new lectureships were founded in the College of France, one of *Archæology*, for the young Champollion, one of *Political Economy*, for J. B. Say, and a third of *General and Philosophical History of Comparative Legislation*, for Eugene Lerminier. Lerminier was not a success in this chair, as all know who chanced to look through his lectures, which appeared in a small volume some fifty years ago. He was neither a philosopher nor a historian, nor a jurisprudent, though he pretended to be all three, and his lectures consisted of a series of vague and declamatory generalities, from which nothing could be extracted of real value by the most patient student.

During

During the Revolution of 1848, Lermnier resigned his chair, in which, by the way, he had been represented for some years by a *suppléant*, and Laboulaye was designated as his successor by the unanimous vote of the College of France, and of the Academy of Moral and Political Sciences. The new professor was then but thirty-eight years of age, but he was well equipped as to scholarship, and the eminence of the bodies to which he owed his selection, was of itself evidence of no mean reputation already established. Indeed, before his appointment, he had been three times crowned by the Institute, of which illustrious society he became a member as early as 1845. Laboulaye gave his first lecture in his new chair on the 5th of May, 1849. But two months remained before the vacation. He devoted them to outlining the philosophy of law as he understood it, and showing the necessity of seeking in history the *rationale* of a nation's laws and institutions. He was a strong partisan and champion of the historic school of Savigny.

The manner in which a man makes his *début* in a new profession is always characteristic and significant. It is interesting therefore to glance over the few introductory paragraphs of his first discourse from the professorial chair. It should be borne in mind that a year had not elapsed since Louis Philippe had abandoned his throne and taken refuge in a foreign land; the provisional government which succeeded had proved unsuccessful, and Louis Napoleon had been already five months President of France.

"In taking this chair, to which the excessive amiability of the gentlemen who are the honor of this institution

tion and the glory of French science has called me, I feel how great and delicate is the task, and how much, even before I have merited it, I have need of all your indulgence.

"A stranger to the functions of a teacher, without the habit of public speaking, past the time of life when the facility of speech is acquired, I must discuss before you a subject doubly difficult—the History and the Philosophy of Legislation.

"On the one hand, the doctrine is quite new and almost unknown in France which undertakes to withdraw legislation from the region of metaphysics, where it has been too long astray, to make of it a positive science, the output of experience rather than of ratiocination.

"On the other hand, it is a doctrine to which our present situation gives an altogether exceptional gravity, and which, however prudent the master, must encounter numberless difficulties, for it is impossible that this doctrine should not transform itself into a rule of action.

"In effect, gentlemen, the questions which for a year past have shaken Europe to her secular foundations, the questions which have so recently torn up the pavements of our ensanguined streets and still rumble under our feet like a subterranean fire : *The sovereignty of the people ; the distribution of political powers ; the popular liberties*, and, going down still deeper, *the right to property ; the right to labor, industry and pauperism* ; all these political, or, as they call them nowadays, social questions, and which I could multiply to infinity, what are they but the external problem of all legislation under new names. At the same time, what else is the necessary and exclusive object of this teaching ?

"Take

"Take laws apparently the most simple, those which for centuries the sanction of experience and universal respect have lifted above all debate.

"Ask by what right the lender receives from the borrower more than he has given him.

"Ask why society transmits and guarantees to the son the heritage of the father. And as soon as you begin to question you will see opening before you, in every direction, perspectives of infinite extent. In approaching the most insignificant question of private law you will encounter the most difficult problems of political economy, of philosophy, and of history. On the very surface, even at your feet, you will touch questions which reach to the very foundations of society, and as soon as you rise above mere usage or custom, and begin to look into the history and the philosophy of laws, you will perceive that what is called "legislation" is nothing but politics.

"What should be done in such a case? Close our eyes before unexpected light? Accept facts without disquieting ourselves about the reason of them? Reduce science to endless statistics? Presume to compare the laws of different people without assuring ourselves of a legitimate and common measure? in fine, judge them not by a rule approved by the reason, but by their contingent and variable effects, and with an appreciation which passion will always interpret *à son gré*?

"Gentlemen, such empiricism, a study so truncated, would be unworthy of you and of me. I shall never permit myself to forget that I have the distinguished honor of addressing the intellect of France, men who, to-morrow, as citizens, as magistrates, as legislators, perhaps, will

will have great weight in determining the destinies of our country, of a country which no longer recognizes any sovereign but opinion, which, of course, does not mean the sovereignty of passion or error, but of justice and reason.

"Cost what it may, it is upon this still-smoking soil we must advance. Our end is truth; we must march through these ruins of yesterday without terror of the burning ashes grinding under our feet.

"This enigma, which for sixty years the Sphinx of Revolutions has been putting to Europe, it is now our turn to meet and solve, if we wish to arrest the generations which follow us on the brink of the abysses in which, every fifteen years, are periodically swallowed up the greatness and wealth of France and its most noble and generous blood.

"To become masters of our destinies, to conquer this durable peace, this confidence in the future, this security without which a country no more belongs to itself than an individual, there is, gentlemen, only one means: that is, to found, or rather to re-establish, on its true foundations, the science of legislation—social science *par excellence*. It is to assure ourselves by study and experience of the solidity of the principles on which society reposes; it is to yield an enlightened obedience; it is to replace habit and fault by reason.

"Tradition, worship of the past, love of ancient customs, these virtues of other days which Europe has for so many centuries exalted as the basis of social order, have disappeared with the old monarchy. Since 1786 it is not from France we must ask for that enlightened respect

respect for the past, which, instead of obstructing reform assures it, by modifying and controlling it ; a country where revolutions, accumulating ruins upon ruins, have always had for their object to make a *tabula rasa*, and to break with the past. It is not on tradition ; it is on science, and science alone, that society must repose. Every institution that is not made legitimate by its actual justice, by its present or prospective utility is a *dead institution*. Whatever be the majesty of the associations which protect it, its past will not defend it for a single day."

In opening his winter course, in December, 1849, Laboulaye proceeded to apply the principles which in the spring he had outlined to his pupils, by an analysis of the history and principles of the Constitution of the United States. There was already some talk of revising the French constitution of 1848, which was generally conceded to be defective and unsatisfactory. Laboulaye wished the American constitution taken for a model, and this motive no doubt determined him in making that instrument the theme of his course. De Tocqueville's book, then only about ten years old, had produced a profound impression on the educated classes in France, but he had confined himself to the domain of generalities. It remained for some one to make an analysis of our constitutional system, and to study the operation of its several provisions in detail. Laboulaye thought the time for such a study of practical politics had arrived, and that he was the man to deal with it. He resolved to devote the winter of 1849 to this subject. He discovered, however, before the season was over, that France was not ripe  
for

for such doctrine ; that Bonapartism, just restored, was not in sympathy with it ; that the United States were too far off, and, perhaps, that the liberty enjoyed in America cost more than it seemed to his countrymen to be worth. Whatever the reason, the course was discontinued with the season, and for the succeeding twelve years he devoted himself almost exclusively to the illustration of the history of Roman jurisprudence. He did resume his lectures on the American Constitution, however, in 1862, and in the course of that and the succeeding year completed the course, which was subsequently printed, and which may be found now in many languages and in almost any well selected statesman's library.<sup>1</sup>

<sup>1</sup> On the 26th of January, 1863, I invited the late Richard Hoe, a name now almost as indissolubly associated with the art of printing as that of Guttenberg, to accompany me to hear one of M. Laboulaye's lectures at the College of France. It chanced that the subject of his discourse was that period of our colonial history which embraced "the old French war." His room was full without being crowded. His manner at a lecture was dignified without being austere or airy, which is more than can be said of some of the professors of note in the Latin Quarter. He spoke with unfaltering fluency, as if thoroughly imbued with his subject, while his

humor, which was refined, frequently wreathed the features of his audience in smiles. He was occasionally interrupted with mild applause. I remember that he gave us an opportunity of observing how differently the history of one's own country sounds when expounded by a foreigner, especially if the national prejudices of the parties are involved. He said, in the course of his remarks, that in consequence of firing upon and killing M. Crève-Cœur, Washington was obliged to sign a most humiliating capitulation to the French commander, after having been sorely beaten, "a fact," said M. Laboulaye, "which has always proved



While lecturing on the American Constitution, Laboulaye delivered a concurrent course on the "Politics of Aristotle," and another on the "Criminal Procedure of England." Of the former not a trace has been found among his MSS. This is a loss greatly to be regretted, for he had expended much thought and study upon it, and there is little doubt that he expected it to survive him. Perhaps there is no occasion yet to despair of its ultimate recovery. During the seven succeeding years to 1871, Laboulaye took for the subjects of his lectures, "The History of French Legislation and Administration Under the Reign of Louis XVI.," and the "*Esprit des Loix* of Montesquieu."

The first of these courses was reported in the *Revue des* proved a thorn in the side of American historians."

At the close of his lecture he observed to his audience that he had been requested, in common with all the faculties of the several institutions of learning in Paris, to invite his audience to contribute towards the relief of the poor who had suffered from extraordinary floods in some of the southern departments. The papers of the morning had prepared us for this collection, and we had provided ourselves with checks, which we handed to him before leaving. The amount of our contributions surprised him. How much Mr. Hoe's was I do not know, though I need not say to those who knew the

strength of his sympathies and the fervor of his patriotism, that they would have been esteemed liberal anywhere, and must have seemed lavish in a community where contributions of ten francs from a princess of the blood imperial was considered worthy of a separate announcement in the *Moniteur*. On the following morning each of us received a note of most cordial thanks from the professor, in which he gave us to understand that it was through our generosity that his collection had proved a success,—“a new reason,” he added in his note to me, for loving Americans and America, which I regard as a second country.”

*Cours*

*Cours* at the time, and I understand will be soon republished. Of the second, nothing remains but what the lecturer incorporated into his notes to an edition of Montesquieu's works, published in 1875-1879.

At the close of the year 1871, and of the Franco-German war, Laboulaye was chosen a member of the French Parliament. His new duties compelled him to suspend his lessons at the College of France, which he did not resume until December, 1877. He then commenced a course on Constitutional Law, but his health compelled him to suspend them in 1879. He resumed his chair in 1881, but only for a brief period. His last lecture was delivered on the 15th of May, 1882, and he died on the 25th of May, 1883, in the seventy-third year of his age.

### III.

Laboulaye's Partiality for the Political System of the United States—A Pillar of the French Anti-Slavery Society—Its Address on the Appearance of President Lincoln's Emancipation Proclamation—Speech at the Funeral of Wm. L. Dayton.

**M**R. LABOULAYE'S value as a friend of the Union, and of representative government was not long in being recognized in the United States. The press proclaimed his sympathetic utterances wherever the Federal mails could carry them ; the Union League Club, of New York, ordered his portrait by Fagnani, which now adorns its walls, a bronze bust of him was placed in the Union League Club in Philadelphia, and at the close of our war, his name was more widely and more generally known in the United States than in Europe. At the funeral of our minister, Mr. Dayton, in 1865, I invited him to be present and address a few words to the mourning assembly—an office which he executed with great delicacy and feeling.<sup>1</sup> From that time forth until his death he was a feature of pretty much every solemn

<sup>1</sup> His discourse on this occasion is entitled to be preserved as a part of the history of the Civil War, even if it were not an assemblage

assemblage of our country people, in which foreigners participated. He was also a prominent figure in the organization of a French anti-slavery society in 1865—a society designed to concentrate the anti-slavery sentiment of the French people against the Imperial government, which had been detected intriguing with the Confederates, in behalf of the dynasty it was trying to impose upon Mexico. Guizot, De Broglie, Cochin, Montalembert, and, I think, St. Hilaire, were associated in the scheme. Its active life, I believe, terminated with our war.

affecting and impressive tribute to the memory of an eminent public servant.

*Remarks of Mr. Laboulaye at the funeral of Hon. Wm. L. Dayton, at the American Chapel in Paris, 1864 :*

Je cède à l'invitation de l'honorable M. Bigelow il est bon qu'une voix française et amie rende un dernier hommage à un homme qui laisse en France les plus honorables souvenirs et les plus sincères regrets.

Messieurs, il y a bientôt cent ans que, au milieu d'une crise terrible, l'Amérique et la France se sont liées d'une amitié irrevocable. Il y a eu quelquefois des nuages entre les gouvernements, il n'y en a jamais eu entre les peuples. Pour un concitoyen de La Fayette, le compatriote de Washington ne sera jamais un étranger. L'Amérique n'a pas

été moins fidèle à cette alliance ; et pour l'entretenir elle nous a toujours envoyé comme ministres des politiques les plus habiles, et les plus sages. C'est Franklin qui a fondé et cimenté cette amitié ; et après lui sont venus Jefferson qui donnait des si sages conseils à nos constituants ; Gouverneur Morris, cet esprit si fin et ingénieux ; Edward Livingston le réformateur des lois pénales qui figurent dignement sur cette liste de noms glorieux.

Messieurs, rappelez vous dans quelles circonstances, M. Dayton est venu en 1861 représenter les États Unis près de la France ? Je ne veux blesser personne ; dans un pareil jour, en un tel lieu il n'y a de place que pour l'amitié et pour regrets. Mais, je puis dire, que le grand malheur de la guerre civile c'est à la fois d'affaiblir un peuple

This

This body held a meeting in February, 1866, at which the most conspicuous notabilities of France assisted, to take formal note of President Lincoln's proclamation, announcing the abolition of slavery in the United States, of which I had sent a copy to the president of the society. An address was prepared by M. Laboulaye in behalf of that body, and sent to me, to be transmitted to the president. Time has increased, rather than diminished, the interest of the address, and of the reply to it, which in due time I received from Mr. Seward.

au dedans et de l'amoindrir au dehors. En pareil cas, il y a pour un ministre une inquiétude, une susceptibilité plus grande que de coutume ; on défend la dignité de son pays.

M. Dayton fut à la hauteur de cette tâche délicate. Grâce à sa franchise, à sa loyauté, à sa courtoisie,—J'en appelle à l'honorable ministre que J'aperçois ici,<sup>1</sup>—il sut maintenir les relations des deux pays sur le meilleur pied, à des conditions égales, c'est à dire également honorables pour les deux pays.

C'est là un service rendu à la France non moins qu'à l'Amérique, et qui gardera dans l'avenir le nom de M. Dayton.

Parler d'avenir ! J'oublie que je suis en face de la mort, que

reste-t-il de nous qu'un peu de poussière bientôt évanouie ; un souvenir qui s'efface et s'éteint avec le dernier de ceux qui nous ont aimés. Et cependant pour ceux qui survivent, c'est une consolation, c'est un besoin que de parler des mérites et des vertus de ceux qu'on a perdus. Ce sont ces mérites qui les accompagnèrent au pied du tribunal suprême, et leur rendront, nous espérons, l'éternelle miséricorde. Et heureux peut être celui qui, comme M. Dayton peut se présenter avec les services qu'il a rendus à la patrie, et peut dire qu'il a toujours soutenu la cause qu'il a cru (et que je crois comme lui) la cause de la Justice, de l'humanité, et de liberté."

<sup>1</sup> Mr. Drouyn de Lhuys, Ministre des affaires étrangères of France.

(*Translation.*)

PARIS, January 20, 1866.

MR. AMBASSADOR :—The members of the French Emancipation Society have received with emotion and sympathy, the proclamation announcing the abolition of slavery, which you instructed me to communicate to them.

In a numerous meeting assembled to consider the future fate of the freedmen of your country, I read your letter. It transformed our gathering, in a measure, into a thanksgiving festival.

This century has witnessed the abolition of serfdom in Russia, and of slavery in the United States. That is glory enough for it.

We entertain the hope that the illustrious successor of Lincoln and the statesmen and Christians of America will know how to make citizens of those whom they have made freedmen. The civilized world expects from them the success of this grand experiment.

We shall watch the steps of its progress with the most untiring interest ; and we beg you to thank the President of the United States, in the name of our Committee, for the measures which he has heretofore taken, and for the noble instrument to which his name shall remain attached, as we thank you, Mr. Ambassador, for having communicated it to us.

Please accept the expression of our high consideration.

The President of the Committee,

The Secretary,

A Cochin.

EDOUARD LABOULAYE.

*Member of the French Institute.*

DEPARTMENT OF STATE, }  
WASHINGTON, March 5, 1866. }

SIR :—Your despatch of the 7th ultimo, and its accompaniments, relative to the communication which Mr. Laboulaye, the acting President of the French Committee of Emancipation, has addressed to you upon the subject of the president's proclamation announcing the abolition of slavery in the United States, have been received. In reply to Mr. Laboulaye, I will thank you to inform him that the congratulations of the society upon the auspicious event are gratefully received and highly appreciated; that this government entertains no apprehensions for the future of a race physically qualified to obtain for itself, by industry and application, prosperity and happiness, under our free and equal Constitution of government; and therefore we feel assured that this desirable result will be peacefully and creditably accomplished. I am, Sir, your obedient servant,

WILLIAM H. SEWARD.

John Bigelow, Esq., etc., etc., etc.

There is no doubt that M. Laboulaye's sympathy with the Federalists in our Civil War was largely due to his anti-slavery sentiments, but whoever attributed it all or mainly to that source, would fall into a great error. He deprecated a failure of the great republican experiment in America more than the perpetuation of slavery for a few years, more or less, but as it seemed to be a question of life and death between popular sovereignty and slavery, he was also uncompromising in his treatment of slavery.

Having been appointed professor of Comparative Legislation

lation as early as 1845, and since then a diligent and sympathetic student of the constitutional history and polity of the United States, he had thoroughly imbued himself with the theoretic principles of our government, and no American probably was more utterly convinced than he, that nowhere in this world, outside of the United States, could be found such durable guaranties to the people, of the right to life, liberty, and the pursuit of happiness. He thought it, therefore, a matter of world-wide concern that our republic should prove its capacity to deal with the enemies of its own household. He was one of the very few conspicuous Frenchmen—perhaps, beside M. de Tocqueville, it would be difficult to name a third—who knew so nearly where the sovereignty of the State properly terminated, and where the sovereignty of the People began, and he never ceased to deplore the inability of his countrymen to recognize the limitations of the powers of the State as taught by the fathers of the republic.

“God knows,” he says in his preface to *L'État et ses Limites*, “that our ignorance on this subject has cost us dear. When we look back over the long series of our revolutions since 1789 we find that parties, though divided on every thing else, are always in accord on one point. They regard power and liberty as irreconcilable enemies. With the liberals of the old school to weaken power was to fortify liberty. With the partisans of order-at-any-price, to crush liberty was to fortify power; double and fatal illusions yielding only anarchy and despotism. When authority is disarmed liberty degenerates into license and perishes by its own excesses.

“ ‘What



“ ‘What is too feeble to oppress,’ says wisely Bossuet, ‘is powerless to protect.’ On the contrary, when liberty is sacrificed you will have a power which is neither sustained nor contained. . . . We must learn that authority and liberty are not two hostile powers made to devour each other eternally ; they are two distinct elements making part of one and the same organism. Liberty represents the individual life, the state represents the common interests of society ; they are two circles of action which have neither the same centre nor the same circumference. They touch at more than one point, but they should never be confounded.”

It is not surprising that the professor of such doctrines and the writer who displaced Chevalier in the *Débats* received no official recognition from the imperial government. He was several times put in nomination for the Corps Legislatif, but the government was always strong enough and foolish enough to defeat him. He once showed me a silver inkstand presented to him by his political admirers at Strashourg, who in a note proclaimed him their perpetual candidate for the Corps Legislatif.

#### IV.

Tires of ever Teaching History and Making None—Discontented with the Tendencies of the Empire—Discovers the Hiding-Place of Dr. Benjamin Franklin's Autobiography—William H. Huntington's Account of its Acquisition.

THE frequent disappointment of his hopes of political advancement preyed upon Laboulaye's spirits more than he was willing to confess. He thought he was too much of a philosopher to esteem any political power or distinction necessary to his happiness, but in this he deceived himself, as many others had done before him and many more have done and will continue to do after him. He saw men in ever so many ways his inferiors occupying positions of influence; their speeches quoted; their ante-chambers thronged, and their sentiments discussed in cabinets and in the press, while his career was threatened with sterility, for in France a professor's chair is commonly coveted as a stepping-stone rather than as a finality. He did not see that literature and science had any more rewards for him, and he could not reconcile himself to the

the idea of living and dying only a professor ; of always teaching history and never making any. How profoundly this apprehension disturbed him, he unconsciously betrayed in a letter written to me in October, 1868.

To make the introductory portion of this letter more intelligible, and this record of our obligations to M. Laboulaye more complete, it is proper that I should say here that it was to him that I was indebted mainly for the discovery and repatriation of Dr. Franklin's *Autobiography*. How this happened is a curious chapter in the history of a remarkable book.<sup>1</sup>

Mr. Laboulaye was my guest one day at dinner in Paris in the summer of 1866. He had just translated and published a compendious selection from the writings of Franklin, and as he had amiably sent me a copy, it naturally became one of the topics of our conversation. In the course of the entertainment I asked my guests, who, as far as I remember, were all French gentlemen of letters, if they had ever heard, or if they had any reason to suspect, that the original manuscript of Franklin's "*Autobiography*" was in France. All answered in the negative. I then assigned some reasons for thinking that, unless it had been destroyed, which was in the highest degree improbable, it was somewhere within the limits of the empire.

<sup>1</sup> The statement which follows was transferred to, and made a part of, the introduction to the *Autobiography* of Franklin which appeared in Bigelow's edition of the works of Frank-

lin, published in 1887-1888, but as only 600 copies of that work were printed, I need offer no apology for retaining it in this chronicle, for which it was originally prepared.

1st. I said I had received the impression, some years previous, from the late Henry Stevens, a professional book collector in London, that he had seen the MS. in the hands of a gentleman residing in France. I had an indistinct impression that he said Amiens, and that he had only been discouraged from buying it by the price.

2d. Romilly (Sir Samuel) in his diary speaks of having looked through the "Autobiography of Franklin" at the house of a friend whom he was visiting in Paris in 1802.<sup>1</sup>

3d. If, as this record authorized the belief, the original MS. was ever in France, there was every reason to presume it was there still.

4th. It was in the highest degree improbable that a MS. of that character could be in the United States, without its lodging-place being a matter of common notoriety, whereas none of Franklin's numerous biographers profess to have had any trace of it after the death of Wm. Temple Franklin in 1823.

5th. As Wm. Temple Franklin embarked for Europe within a few weeks after the death of his grandfather, whose papers he inherited, and never returned to the United States, the presumptions were that this MS. was in Europe, and that it was not in the United States.

M. Laboulaye seemed struck by the force of these considerations; said he had a friend at Amiens who would be sure to know if any literary treasure of that nature was concealed in the neighborhood; and if in France, whether at Amiens or not, he felt confident of being able to ascertain through some of his friends in the Academy; and he very kindly volunteered to look into the matter at once.

<sup>1</sup> "Life of Romilly." vol. i., p. 408.

Weeks and months rolled on, but I heard nothing further of the MS.

When about leaving for England on my way to the United States, in the winter of 1866-7, and after sending my family and personal baggage to the railway station, I set out in a cab to make two or three farewell calls upon some friends whose residences were not much off of my route to the station. Among them was Mr. Laboulaye, whom I was fortunate enough to find at home. During our half-hour's interview I asked him if he had ever thought to make any inquiries about the "Autobiography." He replied that he had, but that his friend upon whom he specially relied had not been able to throw any light upon the subject. He added, however, that he meant to institute some further inquiries among his *confrères* of the Academy, and if, as certainly seemed probable, it was in France, he said he did not despair of finding it. I thanked him, gave him my London and New York addresses, and went on my way.

I had spent nearly a month in London, was about to sail in a few days for the United States, and had quite abandoned all expectation of hearing any thing from the "Autobiography," when, on the 19th of January, a letter from M. Laboulaye was handed me by the postman, which informed me not only that the *habitat* of the MS. had been discovered, but that it, with several other precious relics of our illustrious countryman, could be bought for a price, a large price it is true, but a price which did not seem beyond their value to an American. M. Laboulaye's letter ran as follows :

12 Janvier, 1867, 34 RUE TAITBOUT.

CHER MONSIEUR BIGELOW :

*Eureka !* J'ai trouvé, grâce à un ami, le manuscrit de Franklin et son possesseur.

M. de Sénarmont, héritier de la famille Le Veillard, et qui demeure à Paris, rue de Varennes, No. 98, nous écrit qu' il possède :

1. Le MS. originel autographe complet (?) des mémoires de Franklin.

2. Une collection considérable de lettres de Franklin, formant un ensemble de correspondance.

3. Un portrait en pastel de Franklin, donné par lui à M. Le Veillard.

Et il demande en tout la somme de vingt cinq mille francs. Vous voici sur la voie. C'est à vous maintenant à faire ce qui vous conviendra. Adieu recevez encore tous mes vœux pour votre bonheur en ce monde et dans *l'autre* (je parle du Nouveau Monde). Votre bien dévoué.

ED. LABOULAYE.

The next mail took from me a letter to my cherished friend, the late William H. Huntington, in Paris, enclosing Laboulaye's note, asking him to go to No. 98 Rue de Varennes, and examine the articles referred to, and, if satisfied of their genuineness, I authorized him to offer fifteen thousand francs for them. In two or three days I received from him the following most characteristic letter :

21 Janvier, '67.

*High private and fiducial.*

DEAR MR. BIGELOW :

Yours of no date whatsoever reached me Saturday, and that of Laboulaye,<sup>1</sup> the same afternoon. Mr. L. knows nothing more of the MSS. and portrait than that he wrote you; gave me letter of presentation to M. Sénarmont, whom he does not know, in the which he mentioned your name with full titles, and addressed it 78 Rue de Verneuil.

It was late to go there that day. A "glance at the map" will show you that it is the  $\frac{1}{4}$  St. Germain, and so I did not go.

*Fytte Second.*

Sunday.

After breakfast and "girding myself up"—(how much easier one feels after it), I took the letter in my hand on this blessed day and got myself up to the highest number in the Rue de Verneuil, which I found, like Franklin's Memoirs, broken off some time before 78. Whereupon "I fetched a compass," as St. Paul would say, and ran for Rue de Varennes, where I presently made No. 98, and hailing a *concierge*, found I had reached port this time. O such a *concierge*—both he and his female! reputable, civil, in a comfortable room. While getting up a broad, clean staircase, did hear bell ringing in the court. By the time I reached the door au 2me, a gentle domestic aperient was already there, by whom my passage through ante-room to dining-room was lubricated, if

<sup>1</sup> A letter of introduction to M. Laboulaye, which I had sent him by a subsequent post.

I may so speak, and I was eased of my card and letter in the most soothing manner. The dining-room was thoroughly warmed :—through the open door into the salou ; a carpet continuous with the parquet, and comfortable chairs, and other quietly, not newly rich furnishing, and still another fire, offered so many peaceful indications that here was not a shop to buy things cheap in. M. de S. presently appeared from up-stairs (occupy *two* floors, then !). Handsome (not pretty) 33 à 37 of age, courteous, shrewd I guess, but really a gentle-man. He said that the MSS. were :

I. The original Autobiography, with interlinings, erasures, etc., from which the copy was made that was sent to W. T. Franklin, and the first French translation : It is in folio, bound, complete.

II. Letters, mostly, he thinks, to M. Veillard, not relating to politics, at least not specially political—friendly letters—and not, he thinks, ever communicated to Mr. Sparks or other book-making person. The portrait is by Duplessis, and, according to “a tradition in the family,” the original, not the replica ; it was given by B. F. to M. Veillard.

He had neither MSS. nor portrait in the house ; they are at his cousin’s (who is, as I understand, part owner of them). On Wednesday I am to go to No. 98 Rue de V. again, when he will have them there or will accompany me to his cousin to see them. He did reside formerly in Amiens, where he or his father had these things. An American, he thinks, did come some years ago to see the portrait there ; name of that stranger unknown ; also his quality, whether merely an inquisitive

or



or an acquisitive traveller ; is ready but not eager to sell (if he knows himself) at 25,000 francs the lot ; does not want to sell any one of the three articles separately. Does not know that they are mercantilely worth 25,000 francs, but intimates that he shall run the risk of waiting for or provoking the chance of that price being given. Has been applied to by a photographer (this some time ago) to photograph the portrait : declined proposition at the time, but now conceives that it might gratify curiosity of Americans coming to Exposition next May to see copies of it, or the original hung up there !

I fancy that this universal French-Exposition idea stands more in the way of reducing the price than any thing else. . . .

Yours truly,

W. H. HUNTINGTON.

On the 24th of January, I received a second letter from Huntington, giving the results of his first view of what he terms the Franklinienacs.

PARIS (8 RUE DE BOURSALT), 23 January, 1867.

DEAR MR. BIGELOW :

I have seen the Frankliniseries (say Franklinienacs). The autobiography is writ on large foolscap, bound very simply, but without the slightest lesion of the pages. This is undoubtedly *the* original manuscript, with interlining, erasures, marginal notes, and blots (of which one smasher, that was smatched thin nearly over one whole page) of B. F. of the period. It is complete in both parts. The French publication of 1791 stops with the  
first

first part, you recollect—and *more* complete than the "clean copy," from which W. T. Franklin printed the two parts: *i. e.* it has several more pages after the arrival in London in 1757, where W. T. F.'s print stops. I should think there are other passages in this MS. omitted by W. T. F. or by the writer of the clean copy. The MS. closes with these words: "They were never put in execution."

Of the letters only two or three are from B. F.—one dated Philadelphia, 1787, an other, ditto, 1788, 16 or 14 are from W. Temple Franklin, 2 from Sarah Bache, 2 from B. F. Bache: all addressed to M. Veillard. I judge, from what M. Paul de Sénarmont said, that they do not relate to political subjects. I had not time to read any of them, having to go to M. George de Sénarmont, the cousin, to see the portrait.

It is nearly a half-length, life-size pastel, perfectly well preserved, under glass, not a franc of additional value from the frame. It is not signed. A labelled black and gilt statement, which is undoubtedly true, is attached to the bottom of the frame, and reads nearly as follows: "*Portrait de Benjamin Franklin, âgé 77, donné par lui même à M. Veillard Peint par J. S. Duplessis, 1783.*" I have no doubt of the genuineness of the portrait. M. S. says that the family tradition is that this was the original, and that the other one, which was in the possession of W. T. Franklin (?), the replica. Duplessis has a good reputation as a portrait painter. The *Biographie Nouvelle* cites, among twelve of his most esteemed portraits, one of Franklin in the "Galerie Pamard à Avignon." The one that M. Edward Brooks bought of J. de Mancy,  
or

or his heirs, a few years ago, was claimed to be by Duplessis. This was in oils—it was offered to me by old de Mancy, in 1852, for 2,000 francs. There was a break in his history of it, that led me to suspect that it might be a copy.

M. de Sénarmont holds firmly to the fixed price of 25,000 francs : agrees that it may be an extravagant one, but will not set any other till after the Exposition. He means to advertise Americans here of the manuscripts and portrait, and where they may be seen—depositing them for that end with some bookseller or other party. Meantime he is quite willing to keep my address, and in case he does not sell at Exposition season, to talk further about the matter. The manuscripts and portrait are, as I understand him, an undivided family property. . . .

Immediately upon the receipt of the foregoing I sent Mr. Huntington a check on John Monroe & Co., in Paris, for 25,000 francs, and told him to buy the collection on as favorable terms as possible, but not to leave without it, and when bought, to forward it by first conveyance to London, that it might be sure to reach me before I sailed.

To this I received, on the 28th, the following letter :

PARIS (8 RUE DE BOURSALT), 27 January, 1867.

EVER HONORED :

My passage out from apartment in search of breakfast this morning was obstructed by the *concierge* handing your letter of the 24th. Yours of the 22d, leaving all to my discretion, I thought it discreetest not to spend so large a sum as 25 m. frs. without positive orders. These last instructions being decisive, I gat myself;

*Onely*

*Onely*, to Munroe & Co.'s, where I showed Mr. Richards<sup>1</sup> (who had his hat on) your enabling act to them for my drawing of Pactolian draughts to the amount of 25 m. frs.

*Twoly*, to Legoupy, a printseller of my acquaintance, on Blvd. de la Madeleine, to ask how best the portrait of B. F. could be safely packed, with or without the glass. "With," quoth he decidedly. Then I asked if he would charge himself with the packing, he being much in the way of sending large framed and glazed engravings out of the city; and he said he would.

*Threely*, to the S. E. R. way and package express office, to ask at what latest minute they would receive and forward packages to London, which proved to be 5 o'clock P.M.

*Four mostly* to breakfast. Present after that refection and its consequence I girded up my loins and took voiture for 98 Rue de Varennes, where, coming into the presence of M. Paul de Sénarmont, I spake, saying: "I will take the Franklineaments and MSS. on these three conditions: I. That I take them immediately; II. That you deduct 200 francs from the 25,000 frs. to pay my expenses for going with them to London; III. That you furnish—sending it to me hereafter for Mr. Bigelow,—the history of the transitions of the three Franklinienacs from M. Veillard's to your hands."

All of which being agreed to, I wrote then and there an order, draught, draft, or whatever the name of the paper may be, on J. M. & Co. for 24,800 francs in his favor at 3 days' vision. Then P. de S. and the literary remains of

<sup>1</sup> The senior partner of the firm of John Munroe & Co.

B. F., and self with cane, being bestowed in the voiture (No. of the same not preserved), we careered away to cousin Georges de Sénarmont, No. 23 Rue de Sèvres. While Paul went in unto Georges, to the bedroom of him—for Georges was poorly, it seems, this morning, and late abed; leastway, late to breakfast—I ventured to relieve B. F. from the state of suspense he was in on the wall of the salon, screwed out of his frame the iron ring, and, in the distraction of the moment, gave *it* to Cousin George's housekeeper. That was what B. F. calls an *erratum*, for I have often use for that sort of screw—which the housekeeper, let us hope, could not care for. Repacking, now, Paul de S., the MSS., umbrella, cane, and B. F. his *eidolon*, which I sustained ever with one hand, into the carriage, I bade *cocher* drive to 7 Rue Scribe, where I presented M. P. de S. to Mr. J. Munroe, to whom I committed your enabling note and identified Paul. Then P. de S. wished good voyage to London, and the *cocher* asked, as I was delicately handling B. F.'s portrait if that was the Franklin who perished in the Northern seas. Queer but disappointing. *Cocher* evidently took a lively interest in the frozen party, and but a cold, indifferent one in the to him unheard-of philosopher. Now straight to Legoupy's, whose packer declared he could have all ready by 4 o'clock. I did not believe him, but by way of encouragement pretended to, and held out to him as reward, in case of success, that I would gladly contribute . . . to the Washington Monument, which, let us hope, will never be completed.

There was time enough between this and five o'clock to go to the Legation, but small chance of finding Mr.

Dix

Dix there. So I went to the consulate and offered David<sup>1</sup> to pay his passage and expenses if he would go with B. F. to London to-night. David would gladly but could not; had infrangible pre-engagements for this evening; I almost found but missed another man, who would, it was thought take charge of the box and surely deliver it Sunday, for 50 francs. During these *entre faits*, four o'clock sounded. At  $\frac{1}{4}$  past, the *caisse* was on the back of Legoupy's boy following your servant up the Boulevard. The very best I could do at the R. and express office was to obtain the most positive assurance, that a special messenger should take the box from Cannon Street to Cleveland Square<sup>2</sup> before noon on Monday. There is no delivery at any price on Sunday. I was on the point of deciding—what I had been debating ever since morning—to take a go and return ticket and carry box and baggage to London myself. But you know how I hate travelling at all times. On leaving the express office, I passed a brief telegraphic sentence to your address, through the window of Grand Hotel T. bureau. The gentleman who counted its letters estimated them at 6 francs, which is more, proportionately, than what you paid for B. F.'s MSS. and flattering to me. If I am ever able, I shall set up a telegraph wire, and dance on to fortune. The very click, click of the machines has a pleasant money promise to the ear.

Although my way along the quais and other marts where books do congregate, are not as they were when

<sup>1</sup> The trusty messenger at the Consulate and now the Dean of the representatives of the U. S. in foreign parts.

<sup>2</sup> Where I was staying with friends.

you

you were my fellow pilgrim, yet are they still not all without pleasantness. Thus, coming away from my annual visit to the *neuvaine fête* of St. Geneviève three weeks ago, I fell upon the rummest bronze medallion of B. Franklin (hitherto quite unheard of by this subscriber) that ever you could conceive of. And yet another day, one of those days lapsed last week from the polar circles into the more temperate society of our Paris time, I clutched with numb fingers a diminutive little 4to of pp. 48 with this title: "*La Science du Bonhomme Richard par M. Franklin : suivie des commandements de l' Honnête Homme, par M. Fintry—prix quatre sols. Se vend à Paris, chez Renault, Libraire, Rue de la Harpe.—1778.*" So another day, was all my homeward walk a path of exceeding peace by reason of the primary, pre-adamite, genuine, juvenile original *Éloge de Franklin* hugged under my arm, like healing in the wing. But the half of the enjoyment of these good gifts of fortune fails me, in that I have now no one to congratulate me or hate me for their acquisition.

M. de Sénarmont promises me a letter giving the *Historique* of the triad of Franklin treasures, from the time of M. de Veillard to his possession of them. It will not amount to much—not from lack of willingness on his part, but because the special sense in the case is wanting in him. A dry, authenticating certificate, however, I will insist on having, and will forward it to your American address, which do not forget to advertise me of from Liverpool or London. M. de S. asks me to ask you, if you have the Duplessis photographed, to send him two or three cards ; please add one other or two for me, since  
you

you will be apt to send them to my address. I shall be glad to have word from you, though in your fitting hurry it must be brief, from London, and much gladder to have news from America that you and yours are all safely and soundly arrived there.

With best regards and good wishes to all your house, I rest  
 Yours truly, W. H. HUNTINGTON.

Here followeth an *account of ye expenditures, outlays, and disbursements* of ye FRANKLYN EXPEDITION.

FRANCS.

To a chariot and ye horseman thereof.	Hire of the
vehicle and <i>pourboire</i> , as it were oats to the	
driver for the greater speed . . . . .	5
To packing B. Franklin under glass and ye MSS.	
with extra haste and yet care . . . . .	9
To the binding of B. F. on a boy his hack and por-	
terage of the same . . . . .	1
To studiously brief telegraphic phrase sent to	
London . . . . .	6
To arduous sperrits (with water) taken for susten-	
tation of the body thys day . . . . .	0.50
	<hr/>
Condamnèd tottle . . . . .	21.50

On the day following the receipt of the last recited note from Huntington I received the following from M. de Sénarmont :

PARIS, 27 Janvier, 1867.

MONSIEUR :

J'ai l'honneur de vous remettre ci-contre une note de tous les renseignements que j'ai pu recueillir sur le manuscrit



scrit de Franklin dont M. Huntington s'est rendu hier acquereur en votre nom.

Je suis heureux de vous voir possesseur de ces précieux souvenirs, et du beau portrait du fondateur de la liberté de votre patrie.

La rapidité avec laquelle j'ai été obligé de remettre le portrait à M. Huntington m'a empêché de le faire reproduire par la photographie comme j'en avais l'intention. Dans le cas où vous ferez faire cette reproduction je vous serais bien reconnaissant de vouloir bien m'en envoyer trois exemplaires.—J'ai l'honneur de vous témoigner, Monsieur, l'expression de ma plus haute considération.

P. DE SÉNARMONT.

98 Rue de Varennes.

MONSIEUR JOHN BIGELOW,  
*Ancien Ministre des États-Unis.*

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*Notice sur le manuscrit autographe des mémoires de Benjamin Franklin.* Les manuscrits de mémoires de Franklin est un in-folio de 220 pages écrit à uni-marge, sur papier dont tous les cahiers ne sont pas uniformes.

M. Le Veillard, gentilhomme ordinaire du Roi, Maire de Passy, était intime ami du Docteur Franklin. Il avait vécu avec lui à Passy (près Paris) dans une société de tous les jours, pendant le temps de Franklin en France à l'époque de la guerre de l'indépendance Américaine, et c'est de sa patrie que le docteur lui envoya, comme gage d'amitié, la copie de ses mémoires échangé depuis contre l'original.

*Le manuscrit original est unique.*

M. William Temple Franklin, petit fils de Benjamin Franklin,

Franklin, l'a recueilli au décès de son aïeul qui lui avait légué tous ses écrits. Lorsque M. Temple vient en France pour y faire l'édition qu'il a publié, il demanda à M. Le Veillard sa copie pour la faire imprimer, parce qu'elle lui parut plus commode pour le travail typographique, à cause de sa netteté. Il donna à M. Veillard en échange de sa copie, le *manuscrit original entièrement écrit de la main de Franklin*.

L'original était cependant plus complet que la copie ce que M. Temple n'avait pas vérifié. On en trouve la preuve au 2d volume de la petite édition des Mémoires en 2 volumes, en 18mo, donnée par Jules Renouard, à Paris, en 1828. On y lit, en tête d'une suite qu'il fait paraître pour la première fois, une note (page 21), où il déclare devoir cette suite à la communication que la famille Le Veillard lui a donné du manuscrit.

L'inspection seule en démontre l'authenticité à l'appui de laquelle viennent d'ailleurs des preuves positives tirées de différentes pièces ; telles que : 3 lettres du Dr. Franklin à M. Le Veillard, 11 lettres de M. William Temple Franklin et diverses lettres de Benjamin Franklin Bache, de Sarah Bache, sa femme, d'un libraire qui voulait acquérir le manuscrit de M. Le Veillard en 1791, etc.

M. Le Veillard, qui est l'auteur de la traduction Française des Mémoires de Franklin, a conservé le manuscrit autographe avec le même sentiment qui avait déterminé son ami à lui envoyer ses mémoires encore inédits.

Après la mort de M. Le Veillard, qui périt sur l'échafaud Révolutionnaire en 1794, le manuscrit a passé à sa fille : au décès de celle-ci, en 1834, il est devenu la propriété de son

son cousin M. de Sénarmont, dont le petit-fils a cédé la 26 Janvier, 1867, à Mr. John Bigelow, ancien Ministre des États-Unis à Paris.

Le manuscrit est accompagné d'un beau portrait en pastel par Duplessis : Franklin avait posé pour ce portrait pendant son séjour à Passy et en avait fait cadeau à M. Le Veillard.

P. de SÉNARMONT.

PARIS, le 26 Janvier, 1867.

Several months elapsed after my return to the United States before a propitious occasion presented itself for me to verify the importance of the statement in M. de Sénarmont's note, that my manuscript was more complete than the copy which had been used in preparing the edition published by William Temple Franklin and copied by Dr. Sparks. It never occurred to me that the text had been tampered with in England after it had left the writer's hand. A very cursory examination of it, however, awakened my suspicions that it had been, and I availed myself of my earliest leisure to subject the *Memoirs* to a careful collation with the edition which appeared in London in 1817, and which was the first and only edition that ever purported to have been printed from the manuscript. The results of this collation revealed the curious fact that more than twelve hundred separate and distinct changes had been made in the text, and, what is more remarkable, that the last eight pages of the manuscript were omitted entirely.

Many of these changes are mere modernizations of style ; such as would measure some of the modifications  
which

which English prose had undergone between the days of Goldsmith and Southey. Some, Franklin might have approved of; others he might have tolerated; but it is safe to presume that very many he would have rejected without ceremony.

I immediately prepared a correct edition of the Autobiography for the press, in 1867, when, after an interval of more than seventy years since its author's death, it was for the first time given to the public as it was written.

Of course I addressed to Mr. Laboulaye a copy of this volume, of which the first part of the following letter was in acknowledgment :

GLATIGNY, VERSAILLES, 23 Octobre, 1868.

CHER MONSIEUR BIGELOW :

Je vous dois mille remerciements et mille excuses pour les Mémoires de Franklin. Il y a six mois que, de jour en jour, je me propose de vous écrire, et le temps passe sans que je fasse rien. Franklin s'excuse quelque part de sa négligence, et dit que l'âge rend paresseux, veuillez recevoir avec bonté cette médiocre justification qui ne peut avoir cours que dans la patrie de Franklin.

J'ai lu avec grand intérêt la nouvelle édition des Mémoires, et je vous suis fort obligé pour la faveur honorable dont vous me traitez dans la Préface. Votre texte sera le texte définitif, et quoique les changements ne soient pas considérables au fond, ils donnent un autre aspect au livre, car ce sont justement les expressions les plus originales et les plus américaines de Franklin qu'un maladroit correcteur a effacées pour les remplacer par ses platitudes.

Voici

Voici la révolution arrivée en Espagne mais en France, on se fait une assez triste idée de l'avenir de la péninsule. Personne ne plaint la Reine Isabelle, qui ne merite aucun intérêt, mais dans sa chute on ne voit que le succès d'une conspiration militaire. Le peuple est resté indifférent jusqu'au lendemain de la victoire, et ne paraît pas avoir grand désir de reprendre possession de ses droits. Pour moi qui connais l'Espagne, j'ai grand peur que ce changement de regne ne soit qu'un changement de personnes, et que l'Espagne ne continue à être la proie de ses généraux ambitieux comme elle l'a été depuis trente ans.

Cette révolution a dérangé je crois, les projets de l'Empereur ; l'Espagne était pour lui un secours et une force. Elle peut devenir un danger. Aussi commence-t-on à proclamer sur tous les toits qu'on veut maintenir la paix. La paix sera pour toute l'Europe un bienfait mais je ne sais si la liberté en profitera beaucoup chez nous. La révolution d'Espagne n'a pas agité beaucoup l'opinion en France. Nous sommes habitués à ces coups d'état militaires chez nos voisins ; le pays est toujours fort endormi ou plutôt fort dégouté. On n'a pas la moindre confiance dans le gouvernement actuel. On n'a qu'une très médiocre estime pour ceux qui le conduisent mais a part les gens qui réfléchissent, le grand nombre des habitants des villes n'a pas confiance dans la liberté ; les essais de libre gouvernement ont tant de fois échoué ; on a si grand peur de l'anarchie qu'au fond on aime autant rester comme on est par peur d'une plus mauvaise situation. Quant aux campagnes elles sont toujours dans la main de l'administration ; le paysan a peur et votera pour le gouvernement presque en tous pays.

Je

Je ne crois donc pas que les prochaines élections changent la situation. Suivant toute apparence ces élections se feront avec autant de *passion* et aussi peu de sincérité que les autres ; le résultat ne sera pas sensiblement différent ; le gouvernement aura la victoire à moins d'un changement d'opinion que je ne prévois pas, mais cette victoire emportée par des moyens peu respectables ne lui donnera ni force ni durée. Depuis six ans il perd chaque jour de sa puissance sur l'esprit public et sans que rien le menace il s'affaiblit. C'est un singulier spectacle que cette veine de pouvoir absolu qui se trouve toute puissante dans les chambres et qui est sans force contre la résistance des intérêts et des idées. Dès qu'il veut faire un pas en avant ou en arrière il sent qu'il n'est pas soutenu, il hésite et met toute sa politique à ne pas bouger. L'Empereur est dit-on, fort vieilli ; sa volonté à souffert, et il ne veut changer ni d'hommes ni de système, ce qui, selon moi, compromet singulièrement l'avenir de la dynastie.

Quant à moi je ne crois pas qu'on songe à moi pour les élections. Ma situation est singulière. Les idées que je défends font leur chemin parmi les jeunes gens et les ouvriers, mais n'appartenant à aucun parti je ne suis pas enrégimenté. Il en résulte que pas un parti organisé ne se soucie de moi. Les Démocrates ont l'horreur de toute croyance religieuse et ils adorent Robespierre et Danton. J'ai un profond mépris pour ces démagogues que n'ont rien établi que la guillotine, et je sais que sans une religion les hommes ne peuvent pas être libres ; en voilà assez pour qu'on ait peu de confiance en moi. Les libéraux de la vieille école mettent toute la politique dans l'omnipotence des chambres, je suis de l'école américaine  
et

et j'enseigne que les chambres n'ont que des pouvoirs délégués, et que le citoyen a des droits auxquels un parlement ne peut pas toucher. Vous voyez que je suis un Américain égaré au milieu de la vieille Europe. J'ai cependant mes partisans qui grossissent en nombre tous les jours, mais quand ils feront la majorité, il y aura longtemps que je me reposerai des fatigues de ce monde. Je travaille pour l'avenir avec la confiance d'avoir raison et la tranquillité d'un homme qui a renoncé à toute ambition personnelle. C'en'est pas une mauvaise situation. J'y trouve ce grand avantage que je vis paisible et que je n'ai pas à me reprocher un repos égoïste ; mon pays ne veut pas de moi il n'a de goût que pour les déclamateurs et les farceurs. Adieu ! La place me manque pour vous dire que je pense souvent à vous, qu'on se souvient de vous et que je regrette beaucoup que vous nous ayez quitté. Vivez heureux, et pensez quelques fois à moi comme à un ami. Mes respects à Madame Bigelow.

Votre bien dévoué

ED. LABOULAYE.

J'apprendrai avec bien grand plaisir l'élection du Général Grant ; je crois comme vous que ce sera l'inauguration d'une ère nouvelle ; il n'y aura plus de place pour la politique Sudiste et les partis seront obligés de se transformer. Républicains ou Démocrates, on n'aura plus à se combattre sur le terrain des State Rights. La nationalité Américaine ne sera plus contestée.

## V.

Is Beguiled by the Emperor into a Support of the *Plebiscite* of 1870—  
His Defence of that Measure—His Version of the Benedetti Incident and Semi-official Defence of the Emperor's Course in Declaring War.

WHEN in contemplation of the invasion of Germany the Emperor of France sought to conciliate the opposition by promises of introducing the parliamentary responsibility of ministers and emancipating the press, Mr. Laboulaye was one of the ingenuous and single-minded men of influence who swallowed the bait and the hook with it. Prevost Paradol, Emile Olivier, and Clément Duvernois were the other conspicuous members of the opposition who were victims of the same misplaced confidence. All were formidable with their pens, all were conspicuous lights upon the headlands of politics, and all had to be disarmed before the Emperor cared to venture upon a foreign war, at least while his humiliation in Mexico was fresh in the public mind. They all listened to his proposals, and at length they all struck hands with him,



him, but swift repentance overtook them. Paradol accepted the mission at Washington and committed suicide. Duvernois accepted a place in the cabinet, fell into temptations which cost him his character and finally his life. Olivier accepted the ministry of foreign affairs ; in a few months was a refugee and his master a captive. From the obscurity which he then courted he has never found it practicable if desirable to emerge. Laboulaye trusting in the good faith of the Emperor publicly and cordially advocated the *plebiscite* of 1870, by which the people were called upon to renew the expression of their confidence in the Napoleonic rule. He thus so completely committed himself to the imperial régime, that, fortunately for him, it was not thought worth while to waste upon him any of those imperial favors which were supposed to have had their weight in seducing the other gentlemen from the ranks of the opposition, and which, if tendered, he could hardly have declined had he been so disposed. This was fortunate, for the worst that can now be said of Mr. Laboulaye is, that he allowed himself to be deceived and betrayed, but no one can say that he was bought. That he expected a place in the ministry there is no doubt ; that he received none, is his best defence against the shafts of calumny and detraction which were trained upon him by the party he had forsaken. When he found he had been a dupe he was greatly chagrined, nor did he attempt to disguise it. From the political flood that followed he took refuge in the high places of philosophy, whence he contemplated with not entirely silent contempt those whom he left behind him in the surging currents of partisanship.

In June, 1870, I received from him a letter in which he sought to defend his vote for the plebiscite.

At the date of this letter I was residing in Berlin.

GLATIGNY, VERSAILLES, 7 Juin, 1870.

CHER MONSIEUR :

J'apprends avec grand plaisir votre retour en Europe ; j'espère bien que vous n'approcherez pas de la France sans venir voir vos anciens et fidèles amis. On dit que tout chemin *mène à Rome* ; je crois qu'il est plus vrai de dire aujourd'hui que tout chemin *mène à Paris*. Je serais bien charmé de vous faire les honneurs de mon jardin qui a beaucoup grandi, depuis le jour où vous êtes venu me voir en 1864.

Vous m'excuserez si je ne vous ai pas répondu plutôt ; les journaux qui ne s'occupent que trop de moi, vous auront appris comment j'ai soutenu le plébiscite, comment j'ai manqué d'être ministre, et comment je suis tout simplement professeur insulté et outragé par des fous. Toutes ces vicissitudes n'ont en rien altéré ma tranquillité d'esprit ; l'âge rend philosophe, et mes adversaires ne méritent que le mépris ; mais ma situation a beaucoup changé en France, et grâce à mes ennemis, je suis en ce moment un homme considérable dans mon pays. Depuis dix jours je ne puis suffire à répondre aux témoignages d'estime et de sympathie qui m'arrivent de tous côtés ; et si j'étais plus jeune je serais le chef du parti constitutionnel aux prochaines élections. Mais avec mon peu de santé, j'ai bien plus envie de me reposer dans mon jardin, que de jouer un rôle actif dans un pays qui ne comprend rien

rien à la liberté, et qui fait de la politique avec des passions et des appetits.

J'ai voté le plébiscite et conseillé de le voter pour deux raisons. La première c'est qu' il est toujours plus sage d'accepter la liberté présente que de courir les chances de l'inconnu, quand cet inconnu est une révolution ; la seconde parceque le plébiscite, en restituant le pouvoir constituant au peuple, et en déclarant qu'on ne pourrait plus modifier la constitution que de l'aveu de la nation, m'a paru conforme aux vrais principes démocratiques, tels qu'ils sont entendus et pratiqués en Suisse et aux États-Unis. J'ai répété vingt fois à mon cours que nos assemblées constituantes qui s'attribuent le droit de donner au peuple une constitution qui ne les convient pas, étaient des assemblées usurpatrices, et que toujours cette usurpation avait été fatale à la liberté. Cette idée si simple, est étrangère à nos Français qui ne vivent que des souvenirs de 1789 et qui en 1848 ont recommencé toutes les fautes de leurs pères pour rester dans le même abîme. Au lieu d'essayer de me comprendre, on m'a calomnié, on m'a voué à la haine et au mépris public, mais avec peu de succès. La lumière commence à se faire ; on finira par comprendre que le système Américain est le seul qui respecte la souveraineté populaire, et que j'ai eu raison de la défendre. Dans tous les cas les Américains me doivent cette justice que j'ai souffert pour soutenir les doctrines que j'ai apprises à leur école.

L'effet du plébiscite est considérable ; le pays (j'entends par là la grande masse des bourgeois et des paysans) est heureux d'avoir voté pour l'Empire libéral,  
et

et d'avoir écrasé les réactionnaires et les jacobins ; le parti extrême est désorienté ; en ce moment il se divise, et ne sera bientôt à la chambre qu'une infinie minorité, sans racine autre-part que parmi les ouvriers des villes dont on irrite les convoitises. La chambre elle même ne sait plus que faire, et une dissolution prochaine me paraît inévitable. On dit que l'Empereur n'en veut pas ; il a tort, car en ce moment le pays est aux idées de modération, et lui enverrait d'honnêtes gens. Mais quant à des gens capables c'est autre chose. Dix-huit ans de gouvernement personnel ont tout stérilisé ; il faudra du temps pour ressusciter des hommes habitués aux affaires, et modérés par la situation. Dans tous les cas la situation de l'Empereur a singulièrement grandi ; le passé est effacé, on ne parle plus ni du Mexique, ni de Sadowa, ni du 2 Decembre ; il a reçu un baptême populaire qui efface la tache originelle. Admirable position s'il sait en profiter.

J'ai lu avec grand plaisir vos recherches sur Beaumarchais ; c'est cependant une figure suspecte, et j'estime plus son esprit que son caractère. Cela n'empêche pas qu'il n'ait pas rendu de grands services à l'Amérique émancipée.

Si vous voyez M. Bancroft, faites lui bien mes compliments, et amenez le quelque jour en France que je puisse lui témoigner toute mon admiration et toute mon amitié.

Adieu, et puissiez vous bientôt venir à Glatigny pour causer avec un ami, et de l'Amérique, et de la France, et de *omne re scibile*. Votre tout dévoué,

ED. LABOULAYE.

Deplorable illusions from which a wider commerce with the political world, and especially with the political world of France, might have protected him. As if Bonapartism ever was or ever could be a permanence ; as if it was not from its very nature and essence as certain to end sooner or later in revolution as the mountain brook to descend to the river, and the river to the sea.

Soon after the receipt of the foregoing, in a letter which I addressed him from Berlin, I alluded to the Benedetti incident as throwing upon France the grave responsibility of commencing a war which was liable to assume uncontrollable proportions. In reply he sent me a letter intended to present the Emperor's side of the controversy fully and in the most favorable light of which it was susceptible. It was written with the avowed expectation that I would give it to the press, a privilege of which, however, I did not avail myself, for I had just returned from a tour through nearly every province both of northern and southern Germany, and had quite made up my mind that no soldier of Napoleon's army would put a foot upon German soil except as a prisoner. For this reason I thought I was then doing him a kindness by withholding it.

GLATIGNY, VERSAILLES, 19 Juillet, 1870.

CHER MONSIEUR :

Je réponds tout de suite à votre lettre, car je ne voudrais pas vous laisser concevoir une fausse idée sur la conduite de notre gouvernement. Si je ne connais pas le fond des choses, au moins puis-je dire que je suis dans les conditions d'impartialité des plus complètes, car je  
ne

ne compte que des amis de l'autre côté du Rhin et je regarde une guerre entre les Français et les Allemands comme une guerre fratricide, comme un grand malheur pour l'Europe et pour la civilisation.

Je ne crois pas à l'insulte préméditée de M. Benedetti ; on n'en sait rien en France et les causes de la guerre sont tellement connues que je ne puis voir dans tout ce récit qu'une invention pour surexciter le patriotisme germanique, aux dépens de la vérité.

L'irritation de la France contre la Prusse qu'il ne faut pas confondre avec l'Allemagne, date de la guerre contre le Danemark, à propos du Schleswig. Vous savez que, malgré les instances de l'Angleterre, l'Empereur abandonna ce petit pays à une lutte inégale. Ce fut un grand crève-cœur pour les Français. Les Danois avaient été nos alliés constants dans la mauvaise fortune ; on vit avec indignation l'Autriche réunie à la Prusse pour écraser un peuple digne d'une meilleure fortune.

Vint ensuite la guerre de 1866. Cette guerre avait été préparée par la visite de M. de Bismark à Biarritz. Il était venu *acheter*, disait on, la neutralité de la France. On assurait qu'il avait offert la Belgique à l'Empereur. On lui prêtait cette parole : " que le drapeau Français ferait aussi bien sur la citadelle d'Anvers que le drapeau Prussien sur l'hotel de ville d'Amsterdam." On avait affirmé qu'il avait offert à l'Empereur un aggrandissement de territoire du côté du Rhin, et que l'Empereur avait refusé d'expliquer, ce que gênait singulièrement M. de Bismark.

Le désastre de Sadowa prit la France au dépourvu. La victoire était complète pour la Prusse ; elle en usa non seulement

seulement pour mettre l'Autriche à la porte de l'Allemagne mais pour étendre la suzeraineté Prussienne jusqu'aux bords du Rhin. Mayence et Rastadt furent occupées par des garnisons Prussiennes, la Prusse était en face de Strasbourg et nous menaçait. On nous faisait sentir qu'avec le fusil-à-aiguille et le landwehr, on pouvait en quelques jours se jeter sur la France, et marcher droit sur Paris.

L'effet de cette jactance prussienne fut de nous faire considérer la victoire de Sadowa comme une défaite pour la France. Il nous fallait dépenser des sommes énormes pour renouveler notre armement ; entretenir une armée formidable, et nous préparer à une guerre qui éclaterait au premier jour. C'est ainsi que nous avons vécu depuis quatre ans, bien convaincus qu' à la première occasion, M. de Bismark essaierait d'abattre la France, et d'établir en Europe la prépondérance prussienne. Était-ce chez M. de Bismark un projet arrêté ou n'était ce qu'une vaine rodomontade, calculée pour se rendre populaire dans son pays, il importe peu de le savoir. L'effet produit a été des plus regrettables, la France s'est crue menacée par le voisinage d'un gouvernement qui a toujours eu pour devise le mot de Frédéric II. modifié par Voltaire : *Suum cuique—rapuit.*

Pour calmer les esprits et désarmer l'opposition, l'Empereur négocia avec le roi de Hollande la cession du grand duché de Luxembourg. Il est probable que ce faible accroissement de territoire, accepté par la Prusse eût changé le cours de l'opinion en France. Vous savez que la Prusse nous répondit par des menaces de guerre ; qu'un plan d'invasion fut dressé par M. de Moltke, plan  
qui

qui va sans doute être suivi dans la guerre présente et qu'il fallut l'intervention de l'Angleterre pour amener une transaction qui ne satisfit personne.

L'Affaire en était là. Le temps pouvait adoucir l'irritation Française, on ne songeait pas à une guerre prochaine lorsqu'on apprit tout à coup que le Prince de Hohenzollern allait être appelé à la couronne d'Espagne. La France n'avait pas été prévenue, non plus que le reste de l'Europe ; c'était une intrigue secrète nouée entre le roi de Prusse et le Maréchal Prim, qui avait tout préparé. Je crois même être sûr que la chose était tellement secrète que le Maréchal Prim avait trompé notre Ambassadeur en Espagne, en lui affirmant à plusieurs reprises qu'il n'était question que de Duc d'Aoste.

Selon moi dans cette circonstance, tous les partis étaient du coté du roi de Prusse. La France a un intérêt de premier ordre à ce que l'Espagne soit son alliée, car c'est le coté par lequel elle est le plus vulnérable. Sa puissance est affaiblie, s'il faut qu'elle se défende à la fois sur le Rhin et sur les Pyrenées ; nous l'avons vu sous le premier Empire. Un prince prussien à Madrid n'est pas plus admissible qu'un Napoléon sur le trône de Saxe.

La France pouvait réclamer par les voies diplomatiques. On pouvait charger M. Benedetti de dire confidentiellement au roi de Prusse qu'il y avait là un cas de guerre. On eut évité ainsi de placer le roi de Prusse entre une humiliation ou la guerre. Ce ne fut pas cette marche qu'on suivit. M. de Grammont lut aux Chambres une déclaration qui annonçait que la France ne souffrirait pas un Prince prussien à Madrid. C'était la réponse à l'intrigue Hohenzollern ; cette réponse était un défi.

En



En même temps la France se plaignait à Berlin. Le Ministre des Affaires Étrangères, M. de Thiele, déclarait *qu'il ne savait pas ce qu'on voulait lui dire, qu'il n'avait aucune connaissance de l'affaire* ; le roi répondit qu'il avait autorisé le prince de Hohenzollern mais seulement *comme chef de famille*, tout en avouant *qu'il en avait parlé à M. de Bismark*.

Sur les instances de l'Angleterre le Prince de Hohenzollern se désista, on du moins laissa écrire à son père qu'il se désistait ; ce désistement fut accepté par le roi. Mais rien ne nous répondait que le Prince Leopold ne ferait pas comme son frère le prince Charles de Roumanie, et qu'il ne se viendrait pas en Espagne pour y prendre la couronne. C'est alors que M. Benedetti demanda au roi, non pas de se lier indéfiniment, mais de promettre qu'en aucun cas il n'autoriserait le Prince Leopold à être roi d'Espagne. On voulait obliger la Prusse à s'engager à rester neutre si nous avions des difficultés avec l'Espagne. Je ne crois pas que cette demande dépassât la limite de nos droits.

Mais, en Allemagne, l'opinion surexcitée se prononça contre la reculade de la Prusse, les passions étaient déchainées, et le roi de Prusse épousant la passion populaire, refusa de recevoir M. Benedetti, en lui faisant déclarer par un aide de camp qu'il n'avait plus rien à lui dire.

C'est ici que se placerait la prétendue insulte de M. Benedetti, mais elle est inadmissible.

1. Parceque le roi de Prusse ne dit rien de semblable dans la note qu'il a fait remettre immédiatement aux puissances étrangères.

2. Parceque

2. Parceque si M. Benedetti avait manqué aux convenances, c'est à la France qu'il fallait s'adresser pour lui demander si elle acceptait ou si elle désavouait la conduite de son ministre.

3. Enfin, parceque le jour même de cette soi-disant insulte, un rédacteur du *Figaro*, présent à Ems, télégraphiait qu'il avait vu M. Benedetti s'approcher du roi à la promenade, que le roi lui avait tourné le dos, et qu'un prince de Prusse (le prince Albrecht) s'était aussitôt approché de M. Benedetti pour lui parler avec la plus grande bienveillance et lui faire oublier la grossièreté du roi. Cette dépêche a été imprimée dans *le Figaro*, avant qu'on eut parlé de l'affaire, c'est par conséquent un témoignage considérable, donné par un spectateur désintéressé.

Ajoutez que s'il y avait rien eu de semblable nous en aurions été informés par le gouvernement Français et qu'il n'y a pas même d'allusion à la démarche *personnelle* de M. Benedetti. Le gouvernement Français n'a pas cité autre chose que la communication du roi de Prusse aux puissances étrangères, communication qui constata : (1) que M. Benedetti a demandé au roi de le recevoir et de lui donner l'assurance qu'il n'approuverait en aucun cas la candidature du prince Léopold ; (2) que le roi a fait répondre par un aide de camp qu'il n'avait plus rien à dire à M. Benedetti.

Voilà cher Monsieur, ce que je crois être la vérité, il n'est pas vrai que tout à coup, sans cause, la France ait déclaré la guerre ; il est certain que la Prusse a, depuis quatre ans, cherché toutes les occasions de nous faire sentir qu'il fallait compter désormais avec elle, et qu'au besoin elle saurait nous faire plier. Y a t'il eu des fautes commises

commises par le gouvernement français, cela se peut ; mais assurément les premiers torts ne sont pas de notre côté. Et je crois que la Prusse a voulu la guerre avant nous et s'y est préparée depuis longtemps.

Cette insolence de la Prusse a blessé la nation française, la guerre est acceptée par l'opinion *comme une nécessité*, et on ira jusqu'au bout. A Paris et à Berlin la foule salue avec joie la guerre, c'est un spectacle qui l'amuse en *commençant* ; nos soldats sont plus sérieux ; ils partent à la frontière avec la ferme résolution d'en finir ; ils savent que la lutte sera rude, ils estiment le courage et le talent de l'ennemi, mais ils ont confiance dans leur énergie, et de plus ils se croient plus habitués, à la guerre, et mieux armés. Je crois que le choc sera terrible, et qu'on se battra de part et d'autre avec un acharnement semblable à celui du Nord et du Sud. Il y a de vieilles rancunes contre les Prussiens. En 1814 et en 1815 ils se sont distingués en France par leur insolence et leur rapacité ; nos paysans ne les ont pas oubliés, pas plus que nos soldats n'ont oublié Jéna et Waterloo. L'opinion générale est qu'il faudra plus d'une bataille, et que la guerre ne finira qu'aux portes de Berlin ou de Paris.

On dit l'Empereur animé d'intentions plus conciliantes et satisfait s'il peut éloigner la Prusse du Rhin, en mettant comme autrefois de petits royaumes entre les deux peuples ; mais si nous sommes vainqueurs, l'opinion sera plus exigeante, et l'Empereur sera débordé. Nous n'avons pas encore vu le sang couler, mais une fois que l'ivresse du sang aura commencé, il faudra plus d'un jour pour revenir à la raison.

Voilà,

Voilà, selon moi, l'exposé fidèle de cette triste situation. Personne en France n'en veut à l'Allemagne on ne connaît que la Prusse et son ambition insatiable. Si elle réussit, si elle abat la France, la monarchie universelle est reconstituée, l'Autriche sera bientôt la vassale des Hohenzollern, et Vienne deviendra une ville prussienne ; si la Prusse est vaincue, la France sera, je crois, très modérée pour l'Allemagne, très exigeante pour la Prusse. Nous voulons une paix assurée et non pas la conquête, ce qui ne veut pas dire que la possession des bords du Rhin ne paraisse à beaucoup de gens une condition de la paix.

La guerre restera t'elle limitée entre les deux peuples ? j'en doute. Il me paraît impossible que le Danemark ne saisisse pas cette occasion d'obtenir justice et qu'il restera neutre si nos flottes paraissent à l'embouchure de l'Elbe ou dans la Baltique. Quant à la Russie, à l'Autriche et à l'Angleterre, je ne veux rien dire, n'ayant que mes propres conjectures à vous soumettre, mais si la guerre n'est pas promptement achevée, je crains que toute l'Europe ne s'en mêle. Puissiez vous alors sentir le bonheur de votre isolement et vous développer en paix tandis que la vieille Europe s'enfoncera de plus en plus dans la barbarie. *Westward the Empire takes its way ;* l'avenir, et un avenir prochain le montrera.

Adieu, cher Mousieur, croyez moi en toute circonstance,

Votre tout dévoué,

ED. LABOULAYE.

P. S.—Je suis libre échangiste et je fais partie d'une société Américaine libre échangiste, mais non pas du Club Cobden. D'ailleurs mon peu de santé me retient  
à

à la maison. Je n'aurai donc pas le plaisir de vous voir à Londres au diner de 23.

Si par hasard vous publiez tout ou une partie de ma lettre en Angleterre ou aux États-Unis obligez moi de ne pas mettre mon nom. En ce moment tout Français comme tout Prussien est tenu à la plus grand réserve et je ne voudrais prendre un rôle actif dans ce terrible procès à main armée. Tout au contraire je voudrais prêcher la paix à tout le monde, aussitôt que ma voix aura chance d'être écoutée. Malheureusement nous n'en trouvons pas là et il ne me reste qu'à faire des vœux pour la triomphe du mon pays.

## VI.

The Feeling in France towards the Prussians and Especially towards Bismarck—Impossible to Live Peaceably with the Prussians for Neighbors—The Defeat at Sedan.

SOON after the war between France and Germany had been declared, but before the armies of the respective nations had taken the field, I wrote M. Laboulaye from Berlin to caution him against putting too much of his limited means in the new loan to which his countrymen had been invited to subscribe, assigning as a reason for presuming to advise him upon such a matter, that I had just been through Germany from one end to the other, and had satisfied myself that the result of the war was likely to disappoint him, and that if France did not sustain a prompt defeat she would have to sustain a protracted and wasting war. In a few days I received the following reply. It proved another illustration of the unprofitableness, to say nothing of the danger, of a disinterested party stepping between inflamed combatants. I might as well have expressed a hope that  
France

France would be defeated, as a doubt that she would triumph.

PARIS, 27 Août, 1870, 34 RUE TAITBOUT.

CHER MONSIEUR :

Je vous remercie de l'intérêt que vous me témoignez, je reconnais là, votre constante amitié mais nous sommes moins emus que vous ne pensez. J'ai été une fois abordé en mer et près de faire naufrage ; j'ai appris là par expérience qu'en face de la mort et du danger on éprouve une sérénité plus grande qu'on n'imagine ; les dangers qui nous menacent m'ont rendu cette sérénité. Ce que nous prépare l'avenir, je l'ignore ; mais je suis prêt à tout sacrifier, ma fortune et ma vie pour aider à la défense de mon pays. Si les Prussiens sont vainqueurs, ils peuvent s'attendre à payer cher leur succès, et à moins qu'ils ne tuent le dernier Français, leur victoire ne sera pas de longue durée. Ils ne se doutent pas de la haine et de la vengeance qu'ils sèment dans nos cœurs.

Ce que vous me dites de leurs projets ne m'étonne pas ; les journaux anglais nous donnent tous les matins les mêmes nouvelles. Je connais de longue date les convoitises et les jalousies de ces nouveaux Macédoniens ; personne sur ce point ne se fait d'illusion en France, et c'est pourquoi nous résisterons jusqu'au bout. Vous croyez que Paris ne peut se défendre. Politiquement cela est possible, les fautes de l'Empereur ont révolté tout le monde, nous pouvons craindre une révolution qui nous livrent à l'ennemi. J'espère cependant qu'il n'en sera rien car le patriotisme gagne tous les jours et viendra à bout de nos difficultés intérieures.

Militairement

Militairement je crois Paris très facile à défendre pendant deux mois au moins. Une armée de cent mille hommes (et nous avons déjà plus que cela) qui peut servir par tous les points de l'horizon équivaut à une armée de quatre cent mille hommes rangés à quelques lieues de Paris. Et les Prussiens n'ont pas encore quatre cent mille hommes à amener contre nous. Quand ils auront écrasé Bazaine et MacMahon il sera temps pour eux de marcher sur Paris. Mais d'ici là, ce n'est pas cent mille mais trois cent mille hommes que nous aurons à leur opposer.

Il y a dans votre lettre un passage qui m'étonne. Nous accuser d'avoir provoqué la guerre est un enfantillage. Comment voulez vous qu'il nous fût possible de vivre paisiblement à coté d'un peuple qui, suivant vous peut mobiliser 800,000 hommes en quinze jours? Supposez au Canada une telle puissance, quelle serait votre situation aux États-Unis? La guerre a été sottement déclarée par un gouvernement incapable ; nous avons été surpris, mais la guerre était fatale depuis Sadowa. Quand à la supériorité de cette armée où tout le monde sait lire où les plus nobles se font soldats, permettez moi de vous dire qu'aujourd'hui nos régiments sont remplis de nos plus nobles citoyens. Nous ne sommes pas inférieurs à la Prusse et si nous devons succomber devant le nombre et l'organisation au moins aurons nous versé le plus pur de notre sang.

Quant à moi, vieux et infirme je m'occupe des devoirs aux blessés mais si mon pays doit subir l'humiliation d'une défaite, je ne demande qu'à partir de la vie ; ruiné, volé ou tué par les soldats de Bismark, c'est pour moi  
chose



chose indifférente. Si je vis je trouverai bien un coin pour finir obscurément mes jours, mais jusqu'à mon dernier moment je prêcherai à mes concitoyens la résistance et au besoin la vengeance. M. Bismark peut nous écraser mais il ne trouvera chez nous que le mépris de la force et la haine de l'étranger.

Adieu cher Monsieur Bigelow ; souvenez vous qu'on disait le Nord perdu quand nous combattons ensemble pour le soutenir et l'encourager ; et permettez moi de ne pas désespérer malgré la jactance de nos ennemis.

Votre bien dévoué,

ED. LABOULAYE.

The defeat at Sedan, the captivity of the Emperor, and the establishment of a provisional government under the auspices of the half-dozen avowed republicans in the Chamber, presented a situation with which Laboulaye's training and experience wholly unfitted him to cope, and revealed to others his utter disqualifications for leadership in the storm which had then set in. He was a little uncertain which was worse for France, the government of the Hôtel de Ville or of the Germans. It was in the immediate presence of those startling changes that he addressed to me the following letter.

PARIS, 6 Septembre, 1870.

CHER MONSIEUR BIGELOW :

La défaite de MacMahon et la perte de son armée ne vous donnera que trop raison ; mais cela ne peut rien changer ni à ma position ni à mes résolutions. Si j'étais  
passager

passager dans un navire de commerce je pourrais songer à fuir des dangers trop certains, mais je suis embarqué dans un navire de guerre, sur le vaisseau de la patrie ; il vaut mieux sombrer que d'amener notre drapeau. Qu'auriez vous fait si le Sud victorieux était venu assiéger New York. Auriez vous pensé à désarmer l'ennemi par votre condescendance ? Et croyez vous qu'il n'eut pas abusé de votre faiblesse aussi bien que de la victoire ? Si la Prusse l'emporte, qu'elle fasse tout ce qu'elle voudra, seulement qu'elle ne compte pas sur une paix durable ; elle a semé la haine et la guerre pour cinquante ans. Le bombardement de Strasbourg est une chose horrible, celui de Paris indigne le monde entier et avant deux ou trois ans vous aurez une coalition.

Ce qui se passe à Paris depuis trois jours est fort triste. La chambre envahie par un coup de main, soigneusement préparé, la république proclamée à l'Hotel de Ville au profit des seuls députés de Paris et d'un seul parti politique, celui du *Siècle*, c'est le retour de Février 1848 ; ce n'est pas le moyen d'amener cette unité suprême qui seul eut pu nous sauver ou rallentir notre perte. Aussi faut il nous attendre à des troubles intérieurs autant qu'aux périls du dehors. Les socialistes et les ouvriers qui meurent de faim voudront prendre en main le pouvoir ; je ne suis pas sûr qu'ils échoueront. Nous aurons alors une crise intérieure, qui ne nous laissera pas même la liberté de nous défendre. Terrible destruction qui ne peut profiter qu' à l'ennemi.

L'établissement de la République en France, c'est dans un temps prochain, la République en Italie et en Espagne. Il y a là pour la Prusse un danger qu'elle ne soupçonne  
peut-être

peut-être pas. Les socialistes républicains sont nombreux en Allemagne et la victoire de M. de Bismark (si victoire il y a) pourra bien n'être pas sans mélange. Toutes les fois qu'on bouleversera un pays par la révolution ou par la guerre on récolte des fruits empoisonnés, auxquels on n'avait pas songé.

La révolution de Dimanche s'est faite du reste comme un prononciamento Espagnol ; soldats et gardes nationaux se sont embrassés ; on a chanté, on a bu, comme si l'ennemi n'était pas aux portes ; on eut dit que la République nous donnait la victoire. Au fonds on était heureux de voir l'Empire s'écrouler. On ne lui pardonnait pas son origine, et encore moins sa défaite.

L'Impératrice est partie sans que personne songeât à l'inquiéter ; la princesse Clotilde a été entourée de marques de respect jusqu'à la voiture qui l'emmenait. On n'a même pas beaucoup crié à *bas l'Empire*. Depuis un mois il n'existait plus.

Adieu, cher Monsieur Bigelow ; dans quelques jours je ne pourrai plus vous écrire. Quand l'orage aura passé nous nous retrouverons peut-être, mais si je dois rester dans le [illégitime] croyez que je ne suis pas à plaindre ; car le malheur de mon pays me nâvre, et je trouve que j'ai trop vécu. L'humiliation et la ruine de la France ne seront du reste un bienfait pour personne ; la Prusse perdra en puissance morale tout ce qu'elle gagnera en puissance matérielle ; ce sera son tour d'être un objet de jalousie pour l'Europe, et malheur à elle, le jour où nous pourrons nous relever.

Tout à vous en vous remerciant de votre amitié.

E. L.

If

If M. Laboulaye talked of the new government as he wrote to me, it is not surprising that he found it advisable to withdraw from Paris and from public notice. During the whole year of the Commune he was a voluntary exile in the obscure village of Bolbec. Upon the establishment of the Thiers government he was elected to the Assemblée Nationale. Shortly after which I received from him the following letter.

GLATIGNY, VERSAILLES, 28 Juillet, 1871.

CHER MONSIEUR BIGELOW :

Il y a bien longtemps que j'aurais dû vous écrire. Les terribles événements que nous avons traversés sont la cause de mon silence ; il faut pardonner beaucoup de choses à des naufragés.

Je vous avais écrit après le 4 Septembre en vous disant que je resterais à Paris pour faire mon devoir d'infirmier. Mais je n'ai pu donner suite à cette résolution. Menacé dès le 6 Septembre par les hommes de la Commune qui déjà se croyaient sûrs de réussir et qui comptaient sur le siège pour s'emparer du pouvoir, j'ai cru prudent de m'éloigner de Paris durant quelques jours, et je suis parti pour organiser des ambulances en Normandie. La prompte arrivée des Prussiens m'a fermé les portes de Paris et, séparé d'une partie de ma famille je suis resté à Bolbec près du Hâvre et, depuis le mois de Décembre jusqu'à l'armistice, j'ai vécu au milieu de la guerre et de l'invasion. J'ai vu de près la civilisation Prussienne, et j'espère que le jour se fera prochainement sur la conduite d'un peuple qui, au mépris du droit des gens modernes, s'est conduit avec toute la barbarie et la rapacité des lansquenets

lansquenets de la guerre de Trente Ans. On vous trompe en Allemagne comme aux États-Unis ; mais le mensonge n'a qu'un jour et l'histoire le dissipera. J'ai vu de mes yeux, l'incendie systématique, la rançon de villes et villages qui ne se défendaient pas, la prise des ôtages, le vol des officiers et des soldats, l'ivrognerie et la débauche des chefs, tous les crimes réunis, hormis un seul (l'attentat contre la pudeur des femmes) et j'ai conçu une haine profonde contre cette race hypocrite et perverse, incapable de noblesse et de générosité. Ne croyez pas qu'à mon âge je cède à l'orgueil blessé, à un faux patriotisme, non c'est comme homme et non pas comme français, que j'éprouve autant d'indignation que de mépris contre de pareils brigands.

Rentré à Paris le 15 Mars, j'en suis parti le 26 pour me retirer à Versailles dans ma maison que les Prussiens avaient quitté le 12. Je n'avais été que *modérément* pillé par comparaison avec mes voisins ; il est vrai que j'avais eu l'heureuse chance de n'avoir point d'officiers chez moi. Le jardinier avait fourni aux soldats le vin et le bois qu'ils demandaient, aussi s'étaient ils contentés de piller ma cave et de prendre quelques petits objets qui leur faisaient envie. De plus c'étaient des catholiques et ils avaient respecté le crucifix de ma femme qu'ils avaient posé avec vénération sur un meuble et entouré de buis. A coté de moi une maison beaucoup plus importante, celle de Madame la Marquise de la Tour Dupin a été entièrement pillée et les tableaux de famille soigneusement emballés pour Berlin avec les pianos et les pendules. Mais qu'est ce que cela à coté de Saint Cloud, brûlé au pétrole, le lendemain de l'armistice ? Six cents maisons ont

ont été détruites *froidement par calcul*, pour montrer aux Français que les Prussiens font la guerre *sérieusement* et sans *romantisme*. Vous aurez peine à croire cela mais un jour viendra où la vérité vous frappera, et si vous pouviez voir St. Cloud un seul jour vous sauriez à quoi vous en tenir sur la vertu Prussienne ; elle ressemble à celle de vos aristocrates du Sud. C'est en deux mots *the sum of all villanies*. Je lirai avec intérêt votre brochure mais je doute que loin de la France on puisse se faire une idée juste de notre situation. Nous sommes fort malades, et la sagesse des dernières élections ne peut pas nous faire illusion. Les villes et les campagnes sont travaillées par le communisme et, avec le gouvernement provisoire que nous avons, il est possible qu'on voie éclater un beau jour ou un *pronunciamento* militaire ou une guerre sociale. Il faudrait pour sauver la France un cœur généreux et un bras de fer. Monsieur Thiers n'est qu'un politique habile, mais peu habitué à gouverner. Il aura la majorité dans la chambre qui est fort sage, mais l'aura t'il dans le pays ?

Vous aviez raison de dire qu'il vaudrait mieux que l'assemblée nationale fut une assemblée constituante. Nous avons grand besoin d'avoir une constitution, un gouvernement définitif. Mais nos hommes d'État ignorent que la sécurité est le grand besoin des peuples : ils ont fait l'opposition toute leur vie, au cri de *vive la Liberté*, et ils supposent trop aisément qu'une assemblée donne à un pays toutes les garanties dont la société a besoin pour travailler, pour vivre. Je ne sais pas encore quel rôle je pourrai jouer dans l'Assemblée ; je suis vieux, fatigué, sans ambition, et n'ai rien de ce qu'il faut pour  
conduire

conduire un parti, ou aider à le conduire. Je ferai de mon mieux quand j'aurai un peu étudié le tempérament de l'assemblée. Elle est certainement très honnête et très modérée, mais elle est fort ignorante et facile à tromper avec de belles paroles et de lieux communs.

Je ne crois pas que Mr. Thiers se compromette avec l'Italie ; il est fort décidé à réparer les maux de la guerre, et à remettre l'armée en état ; mais la conduite du roi d'Italie à notre égard n'est pas de nature à fortifier l'amitié des deux nations. Nous ne pouvons oublier que Victor Emmanuel a violé le traité qu'il avait signé le jour où nous étions hors d'état de le faire respecter. Des voisins qui sont prêts à profiter de nos malheurs pour manquer à leur parole ne sont pas du goût Français. Ce ne sont pas seulement les catholiques qui sont blessés de cette mauvaise foi. Du reste je me suis expliqué sur ce point avec mes amis d'Italie. Je crois l'union des deux pays utile et nécessaire, mais à la condition que le pape ne soit pas la victime de cette union.

Quant à l'attitude de la Prusse et de l'Autriche vis à vis du pape et du dogme de l'infaillibilité, je n'ai rien à redire. Je souhaite que M. de Bismark s'engage dans cette voie où assurément il apprendra que la force ne peut rien contre les consciences, (égarées ou non, peu importe). Le mérite de la France depuis 1789 c'est d'avoir toujours respecté les scrupules catholiques et de n'avoir rompu avec la vieille politique gallicane. Que M. de Bismark ramene *concordataire* de Louis XIV. comme il a ramené le droit des gens au temps de la guerre du palatinat, c'est son affaire. Un avenir prochain dira qu'il s'est trompé en religion comme en politique, et qu'il n'a fait que

que semer partout les germes d'une guerre qui sera le fléau et l'abaissement de l'Europe pendant un espace de temps qu'il ne m'appartient pas de fixer. Il a déclaré pardessus les toits que le Français était l'*Erbfeind* de l'Allemagne. Il va bientôt déclarer que le *Protestantisme Germanique* doit en finir avec le *Catholicisme Romain*. Nous verrons où menent toutes ces théories de haine et de vengeance. Pour moi l'issue n'est pas douteuse, c'est le réveil de toutes les haines de culte et de race, et dans un temps donné une guerre dont la guerre de 1870 n'aura été que le faible prélude. Ces idées vous étonneront sans doute et vous me croirez fort misanthrope et fort mélancolique. Vous êtes assez jeune pour voir un jour que je n'avais que trop raison.

Adieu, mes respects à Madame Bigelow, et mille remerciements de votre bon souvenir.

Votre bien dévoué,

ED. LABOULAYE.

The result of the war was no less a surprise than an affliction to M. Laboulaye, for, in common with most of his countrymen in those days, he believed in the invincibility of the French armies and in the supremacy of the Napoleonic star. It filled his heart with inexpressible bitterness toward the German people in general—though with some of them he had, since his university days, held the most cordial relations—and toward Bismarck in particular as the incarnation of barbarism. I am told that he even went so far as to indite a sort of circular-letter to his German friends in 1870, formally breaking off and terminating all connection with them.

How



How true was Bismarck's reply to the almost pathetic inquiry of Theirs :

"Mais qui combattez vous donc ?"

"Louis XIV.," was the reply.

It never seemed to have occurred to M. Laboulaye, that the overthrow of the Empire, though it necessarily humiliated France, gave to himself a prominence in public affairs for which he had sighed in vain under the empire. Not only was he chosen a member of the new assembly in 1871, and made chairman of the committee on the reorganization of Public Instruction in France, but in 1873 he was appointed Director of the College of France, and subsequently elevated to the highly remunerative dignity of senator for life. He filled the position of a representative always with dignity and ability, but he never became the focus of any considerable popular influence. His standards were for the most part too high for effective partisanship. Though imbued with liberal opinions, he was too exclusively in sympathy with the comparatively restricted class with which, in books or in society, he had always lived, and among whom he had always found his models. His health, too, was always delicate—a circumstance which aided to diminish his by no means numerous points of contact with the world at large.

## VII.

Laboulaye's Views of Gambetta—Of Other Dynastic Pretenders—  
—Could Reconcile Himself to No Other than the American Con-  
stitution for France—His Character—List of His Writings.

I NEVER saw M. Laboulaye again but once. Being casually in Paris for a few days in September, 1872, I went out to Glatigny to call upon him. He had just risen from breakfast, and we strolled together through the garden for an hour or more. He did not seem in good spirits, nor satisfied with the way the world had been using France or himself. He seemed anxious to discuss with me the political situation of his country, but his conversation, from the beginning, betrayed the man who was taking counsel of his feelings rather than of his judgment. Nothing had turned out exactly as he had predicted in his correspondence, and my presence put him entirely on the defensive. He said the future of France lay between Gambetta and the late Emperor. He thought Gambetta would prevail for a while, but he would not last, and his government, if he should accept  
power

power, would soon be succeeded by the Empire again. He then broke out into an elaborate invective against Gambetta himself, which, I having already some acquaintance with this famous tribune of the people and having spent a couple of hours with him only two days before, discussing the same topics, struck me as being both indiscriminating, indiscreet, and unjust. He said Gambetta was an *ignoramus*; that he was no statesman; that he wanted a republic without a constitution, because he wished to be at its head, and to have no restrictions upon his power;<sup>1</sup> that he had no idea of a government that was practicable, or of a popular government that could endure. He spoke of him as I had heard him spoken of by Imperialists and Ultramontanists, and as the same classes are accustomed nowadays to speak of M. Bismarck. When he had finished his indictment, I asked him if Gambetta was not on the whole the greatest single political force in France; if there was any other man in the nation who wielded as much political influence. He answered promptly that there was not.

"But," said I, "there are always a great many clever men, very clever men in France; how do you explain this extraordinary preference for Gambetta, if he is the sort of man you describe?" He replied that Gambetta was the only man in France except *Theirs* that since the war was universally known. His name signed to all the decrees of the provisional government had made it famil-

<sup>1</sup> It is a significant commentary upon this objurgation of *La-boulaye*, that the question upon which the Gambetta ministry

was defeated was subsequently the shibboleth of the faction, that defeated him.

iar to every Frenchman. The notoriety thus obtained had given him the same advantage as an agitator that the late emperor had inherited with the name of Napoleon.

M. Laboulaye did not see how very unsatisfactory was this explanation ; how it failed to account for the fact that while this obscure attorney was lifted to the head of the provisional government, issuing its decrees and travelling in balloons at the imminent peril of his life to maintain communications between the different armies and provinces of France and the central government, M. Laboulaye, with all the prestige and notoriety of a professor at the College of France of twenty-five years' standing, was permitted to live in idleness and obscurity on the coast of Normandy.

I alluded to the other dynastic pretenders. He spoke slightly, even contemptuously, of them all. He did not consider the chance of any one of them coming to power in France worth discussing. He then went back again to Gambetta, and while admitting that he had the largest following, took care to add that it consisted of the most miserable creatures in France : the dregs of the population, the desperate classes, etc. He then proceeded to say that he thought the return of Bonaparte not at all improbable, nor under the circumstances to be regretted. The choice lying between the despotism of a mob led by Gambetta and the despotism of a soldiery led by Bonaparte, he could not disguise his preference for the latter. He was still, unconsciously to himself, defending his vote for the *plebiscite*.

M. Laboulaye had, in the proportion of his talents, the usual disqualification of the student, for public life. He had

had studied politics in the closet, he had taught politics to young men from the professor's chair ; he had never sat in a representative body until within a few months, and then too late in life to represent any one's opinions but his own ; he had no idea of becoming the resultant of the varied political forces of a community which chose him to represent them, but was anchored by his prejudices or prepossessions in a stream which was rushing by him like a mill tail, and to which he scorned to make any concession. Then he had preached the peculiarities of the American constitution and its two legislative chambers to his classes so long and so unreservedly that he had got his mind in such a state that he could not accept nor even patiently consider any other issue out of the political troubles of his country. The fact that very few people in France knew any thing about our constitution or about the working processes of a popular government ; the fact that the reasons by which he was in the habit of commending our constitution to his pupils would have been perfectly unintelligible to nine tenths of the people of France, made no difference with him. If he could not have a constitution according to his ideal, he saw no better alternative than the Empire again and despotism.<sup>1</sup>

<sup>1</sup> When Laboulaye resumed his chair at the College of France in 1877, he took for his theme, "Constitutional Law," *Droit Constitutionnel*, mainly, as I think, to degambettize his countrymen of what he regarded as their delusions about constitutional guaranties. Constitu-

tions, he there insisted, had two functions : (1) providing for the organization of the public powers and their relations with each other : (2) guaranteeing the public liberties. He said the French constitution of 1875 provided for the first, but not for the second. Hence the question : Is the authority

Because Gambetta was content to give France the best securities that he could, rather than such as he would; the fact that he took his political inspirations from the people at large rather than from the learned members of the Academy, seemed to M. Laboulaye not an evidence of broad statesmanship nor of political sagacity, but of low tastes and degrading purposes. He insisted that another thirty years' war was impending; that France had no frontier, and could neither do any thing nor be any thing till she had. I remarked that I thought President Thiers was making a mistake in paying off the German debt so rapidly. "Until that is paid," he replied, "the Germans will not leave our territory; until they leave our territory we cannot fortify our frontiers, and until our frontiers are fortified we have no country." I tried to make him take a less gloomy view of France and of her future, but I do not think I was very successful. He rather cultivated his despondency, and did not seem to wish it cured.

I took my leave of him, not without emotion. Besides so much in his talents and character to admire, he had been to us Americans a most timely and useful friend. In what he did for us, let me add, I never saw the trace of an ignoble or selfish motive. This, too, at a time when motives the most selfish and ignoble ruled in court and camp throughout Europe, and when a price of some sort was placed upon every service of which we had need.

thority of a constitution or of those who make it, absolute, or has the individual still rights reserved? Laboulaye insisted that

the constitution should be supreme and absolute as the highest and most solemn expression of the sovereign will.

This

This in itself was a great distinction, and disposed me to judge with diffidence and with charity any of his actions or opinions that failed to commend themselves to my judgment.

I never saw M. Laboulaye again. He died in the month of September, 1882.<sup>1</sup> He did not live to see the emperor restored, nor a thirty years' war begun, nor the new constitution upon which his heart was so firmly fixed, adopted by his countrymen, but he did live to see the Gambetta he despised, recognized by Europe generally as the most conservative and sagacious statesman in France ; he did live to see the emperor and his only son cease to be factors in the politics of this world ; and he lived to see the Napoleonic legend, once the insane root of which no Frenchman could partake and preserve his reason, become in France almost the synonym for fatuous selfishness and brigandage, and finally he lived to see the republic in which he had so little faith, attain a longer life than the average of the governments with which France had been afflicted for the previous 200 years.

Laboulaye was a man of most exemplary character and life. He had no frailties for which his friends had to apologize. His name was never associated with any cause, business, or enterprise which did not reflect back upon him faithfully all the dignity he conferred upon it. Hence his name and pen were often in demand and freely bestowed for the promotion of works of beneficence. Though for the greater part of his life so much of an invalid as to partake but with great caution of the pleasures of the table or of general society, he was so

<sup>1</sup> Laboulaye was born in 1811.

industrious

industrious and so systematic that he accomplished a prodigious amount of literary work.

The reader may form some notion of its amount and quality from the annexed list of his writings—enough to appal a Benedictine—which remain to testify of his learning, his talents, and his usefulness.

The notes alone which he made for his lectures fill about thirty volumes.

In the course of our history as a nation we have been greatly beholden to many citizens of the old world for important services, to some of whom we cannot help feeling that we owe more gratitude than respect, but there have been three Frenchmen whose names are so intimately and so honorably associated with the two most critical periods of our national history, and who were so eminent for their virtues, as well as for their services, that they should never be pronounced by any American without emotions of respect as well as gratitude. Those names are Lafayette, Berryer, and Laboulaye.

#### LIST OF THE PRINCIPAL PUBLISHED WRITINGS OF LABOULAYE.

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